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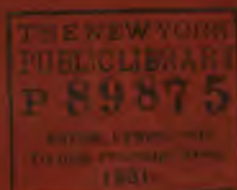
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CITIZENSHIP
AND HOW TO
OBTAIN IT



BY

JOHN WILLIAM GÜNTZER

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CITIZENSHIP

AND

HOW TO OBTAIN IT.

COMPILED FROM THE REVISED STATUTES
OF THE UNITED STATES, AND
LAWS OF THE STATE OF NEW YORK REGULATING THE PROCEDURE
IN CASES OF NATURALIZATION IN THE COURTS OF
THIS STATE; WITH FORMS, ETC.

ALSO

CONTAINING LAW FOR REGISTRATION AND VOTING,
THE DECLARATION OF INDEPENDENCE,
CONSTITUTION OF THE UNITED STATES (WITH QUESTIONS AND NOTES),
NEW YORK STATE GOVERNMENT, ETC., ETC.

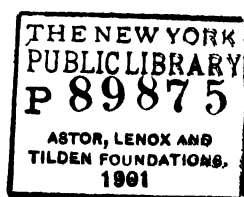
ENLARGED AND REVISED.

BY
JOHN WILLIAM GÜNTZER
OF THE
NATURALIZATION BUREAU
NEW YORK SUPREME COURT, FIRST JUDICIAL DISTRICT.

NEW YORK,

1901.
M.E. 9.

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JOHN WILLIAM
GÜNTZER
1901

PREFACE.

THIS pamphlet is intended for the use of aliens, who desire to become citizens of the United States. Its purpose is to help them in obtaining a rudimentary knowledge of the leading principles of our government, with the hope that after naturalization they may intelligently perform the duties of citizenship.

The judges of the various courts to whom the functions of naturalization have been delegated, have expressed in emphatic terms the necessity devolving upon applicants for citizenship of becoming thoroughly acquainted with the system of our government and the mode of election to and workings of our different Federal and State institutions.

In the limited space at my disposal I have endeavored to convey, in such a manner as may be easily understood, information on every subject of importance with which it is essential that a citizen of our country should be conversant.

The Author.

IMPORTANT TO APPLICANTS FOR CITIZENSHIP.

If the applicant intends to be naturalized in the State courts (the Supreme Court in the respective Judicial Districts and the County Courts in the respective counties), he should not delay filing his petition until within a few days of the required *ninety days*' citizenship necessary for voting. (See qualifications for voting, page 41.) The reason for this is that it is provided by Chap. 927, Sec. 3, Laws of 1895, (see page 14) that every application shall be filed in the court to which it is presented *at least 14 days* before final action thereon can be taken; so that to entitle the petitioner to vote at the next ensuing election, the petition must be filed *at least 105 days* prior to election day. In the United States Courts a notice of fourteen days is not required, and aliens may become citizens any day on application; they must, however, in accordance with the Constitution of New York, be citizens *ninety days* before election day to be qualified to vote.

NATURALIZATION LAWS.

Revised Statutes of the United States.

TITLE XXX.

NATURALIZATION.

SECTION 2165. An alien may be admitted to become a citizen of the United States in the following manner, and not otherwise :

Aliens, how
naturalized.

First.—He shall declare on oath, before a Circuit or District Court of the United States, or a District or Supreme Court of the Territories, or a Court of Record of any of the States having common-law jurisdiction, and a seal and clerk, two years, at least, prior to his admission, that it is bona fide his intention to become a citizen of the United States, and to renounce forever all allegiance and fidelity to any foreign prince, potentate, state, or sovereignty and particularly by name, to the prince, potentate, state, or sovereignty of which the alien may be at the time a citizen or subject.

Declaration of
intention.

Second.—He shall at the time of his application to be admitted, declare, on oath, before some one of the courts above specified, that he will support the constitution of the United States, and that he absolutely and entirely renounces and abjures all allegiance and fidelity to every foreign prince, potentate, state, or sovereignty ; and, particularly, by name, to the prince, potentate, state, or sovereignty of which he was before a citizen or subject ; which proceedings shall be recorded by the clerk of the court.

Oath to support
the Constitution
of the
United States.

Third.—It shall be made to appear to the satisfaction of the court admitting such alien that he has resided within the United States five years at least, and within the State or Territory where such court is at the time held, one year at least ; and that during that time he has behaved as a man of good moral character, attached to the principles of the Constitution of the United States, and well disposed to the good order and happiness of the same ; but the oath of the applicant shall in no case be allowed to prove his residence.

Residence in
the United
States, or
States, and
good moral
character.

titles of nobility to be renounced.

Fourth.—In case the alien applying to be admitted to citizenship has borne any hereditary title, or been of any of the orders of nobility in the kingdom or state from which he came, he shall, in addition to the above requisites, make an express renunciation of his title or order of nobility in the court to which his application is made, and his renunciation shall be recorded in the court.

Fifth.—(This relates to persons residing within the United States, before 29th January, 1795.)

Sixth.—(*The first part* of which relates to persons residing within the United States between 18th June, 1798, and 18th June, 1812.)

Declaration for naturalization, how made.

* * * Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, that the declaration of intention to become a citizen of the United States, required by section two thousand one hundred and sixty-five of the Revised Statutes of the United States, may be made by an alien before the *clerk* of any of the courts named in said section two thousand one hundred and sixty-five; and all such declarations heretofore made before any such clerk are hereby declared as legal and valid as if made before one of the courts named in said section.

Aliens honorably discharged from military service.

SECTION 2166. Any alien, of the age of twenty-one years and upward who has enlisted, or may enlist, in the armies of the United States, either the regular or the volunteer forces, and has been, or may be hereafter, honorably discharged, shall be admitted to become a citizen of the United States, upon his petition, without any previous declaration of his intention to become such; and he shall not be required to prove more than one year's residence within the United States previous to his application to become such citizen; and the court admitting such alien shall in addition to such proof of residence and good moral character, as now provided by law, be satisfied by competent proof of such person's having been honorably discharged from the service of the United States.

Minor residents.

SECTION 2167. Any alien, being under the age of twenty-one years, who has resided in the United States three years next preceding his arriving at that age, and who has continued to reside therein to the time he may make application to be admitted a citizen thereof, may, after he arrives at the age of twenty-one years, and after he has resided five years within the United States, including the three years of his minority, be admitted a citizen of the United States, without having made the declaration required in the first condition of section twenty-one hundred and sixty-five; but such alien shall make the declaration required therein at the

time of his admission; and shall further declare, on oath, and prove to the satisfaction of the court, that, for two years next preceding, it has been his bona fide intention to become a citizen of the United States; and he shall in all other respects comply with the laws in regard to naturalization.

SECTION 2168. When any alien, who has complied with the first condition specified in section twenty-one hundred and sixty-five, dies before he is actually naturalized, the widow and the children of such alien shall be considered as citizens of the United States, and shall be entitled to all rights and privileges as such, upon taking the oaths prescribed by law.

Widow and
children of
declarants.

SECTION 2169. The provisions of this title shall apply to aliens (being free white persons, and to aliens) of African nativity, and to persons of African descent.

Aliens of
African nativ-
ity and descent.

SECTION 2170. No alien shall be admitted to become a citizen who has not for the continued term of five years next preceding his admission resided within the United States.

Residence of
five years in
the United
States.

SECTION 2171. No alien who is a native citizen or subject, or a denizen of any country, state, or sovereignty with which the United States are at war, at the time of his application, shall be then admitted to become a citizen of the United States; but persons resident within the United States, or the Territories thereof, on the eighteenth day of June, in the year one thousand eight hundred and twelve, who had before that day made a declaration, according to law, of their intention to become citizens of the United States, or who were on that day entitled to become citizens without making such declaration, may be admitted to become citizens thereof, notwithstanding they were alien enemies at the time and in the manner prescribed by the laws heretofore passed on that subject; nor shall anything herein contained be taken or construed to interfere with or prevent the apprehension and removal, agreeably to law, of any alien enemy at any time previous to the actual naturalization of such alien.

Alien enemies
not admitted.

SECTION 2172. The children of persons who have been duly naturalized under any law of the United States, or who, previous to the passing of any law on that subject, by the government of the United States, may have become citizens of any one of the States, under the laws thereof, being under the age of twenty-one years at the time of the naturalization of their parents, shall, if dwelling in the United States, be considered as citizens thereof; and the children of persons who now are, or have been, citizens

Children of
persons natu-
ralized under
certain laws to
be citizens.

of the United States, shall, though born out of the limits and jurisdiction of the United States, be considered as citizens thereof; but no person heretofore proscribed by any State, or who has been legally convicted of having joined the army of Great Britain during the Revolutionary War, shall be admitted to become a citizen without the consent of the Legislature of the State in which such person was proscribed.

SECTION 2173. The Police Court of the District of Columbia shall have no power to naturalize foreigners.

**Naturalization
of seamen.**

SECTION 2174. Every seaman, being a foreigner, who declares his intention of becoming a citizen of the United States in any competent court, and shall have served three years on board of a merchant-vessel of the United States subsequent to the date of such declaration, may, on his application to any competent court, and the production of his certificate of discharge and good conduct during that time, together with the certificate of his declaration of intention to become a citizen, be admitted a citizen of the United States; and every seaman, being a foreigner, shall, after his declaration of intention to become a citizen of the United States, and after he shall have served such three years, be deemed a citizen of the United States for the purpose of manning and serving on board any merchant-vessel of the United States, anything to the contrary in any act of Congress notwithstanding; but such seaman shall, for all purposes of protection as an American citizen, be deemed such, after the filing of his declaration of intention to become such citizen.

NAVY AND MARINE CORPS.

Extract from the Act of Congress "making appropriations for Naval Service for the fiscal year ending June 30, 1895, and for other purposes," approved July 26, 1894, in relation to the naturalization of seamen and marines.

**Aliens honorably
discharged
from the
United States
Navy or
Marine Corps.**

Any alien of the age of twenty-one years and upward who has enlisted or may enlist in the United States Navy or Marine Corps, and has served or may hereafter serve five consecutive years in the United States Navy or one enlistment in the United States Marine Corps, and has been or may hereafter be honorably discharged, shall be admitted to become a citizen of the United States upon his petition, without any previous declaration of his intention to become such; and the court admitting such alien shall, in addition to proof of good moral character, be satisfied by competent proof of such person's service in and honorable discharge from the United States Navy or Marine Corps.

Under the provisions of the Revised Statutes of the United States females may be naturalized as well as males.

CITIZENSHIP.

All persons born or naturalized in the United States, and subject to the jurisdiction thereof, are citizens of the United States and of the State wherein they reside. —(*U. S. Const.*, 14th Amend.)

Who are citizens.

All persons born in the United States and not subject to any foreign power, excluding Indians not taxed, are declared to be citizens of the United States. —(*Rev. Stats. U. S.*, Sec. 1992.)

Citizenship of children of citizens born abroad.

All children heretofore born or hereafter born out of the limits and jurisdiction of the United States, whose fathers were or may be at the time of their birth citizens thereof, are declared to be citizens of the United States; but the rights of citizenship shall not descend to children whose fathers never resided in the United States. —(*Rev. Stats. U. S.*, Sec. 1993.)

Citizenship of married women.

Any woman who is now or may hereafter be married to a citizen of the United States, and who might herself be lawfully naturalized, shall be deemed a citizen. —(*Rev. Stats. U. S.*, Sec. 1994.)

Right of expatriation declared.

Whereas the right of expatriation is a natural and inherent right of all people, indispensable to the enjoyment of the rights of life, liberty, and the pursuit of happiness; and whereas in the recognition of this principle, this Government has freely received emigrants from all nations, and invested them with the rights of citizenship; and whereas it is claimed that such American citizens, with their descendants, are subjects of foreign states, owing allegiance to the governments thereof; and whereas it is necessary to the maintenance of public peace that this claim of foreign allegiance should be promptly and finally disavowed: Therefore any declaration, instruction, opinion, order or decision of any officer of the United States which denies, restricts, impairs, or questions the right of expatriation, is declared inconsistent with the fundamental principles of the Republic. —(*Rev. Stats. U. S.*, Sec. 1999.)

Expatriation.

2. In *law*, the voluntary renunciation of one's nationality and allegiance, by becoming a citizen of another country.

The right of expatriation, or the right voluntarily to change one's allegiance, so as to be free from the obligation of natural allegiance, was formerly denied in England, and doubted by jurists in the United States, although always maintained politically in the latter country; it was finally established by Congress in 1868, and by Parliament in 1870. In other civilized countries it had previously been conceded, with some specific limitations.

—*The Century Dictionary.*

PENALTIES

FOR VIOLATING

NATURALIZATION LAWS.

TAKING FALSE OATH IN NATURALIZATION.

In all cases where any oath or affidavit is made or taken under or by virtue of any law relating to the naturalization of aliens, or in any proceedings under such laws, any person taking or making such oath or affidavit who knowingly swears falsely, shall be punished by imprisonment not more than five years, nor less than one year, and by a fine of not more than one thousand dollars.—(*Rev. Stats. U. S.*, Sec. 5395.)

FALSE PERSONATION, &c., IN PROCURING NATURALIZATION.

Every person applying to be admitted a citizen, or appearing as a witness for any such person, who knowingly personates any other person than himself, or falsely appears in the name of a deceased person, or in an assumed or fictitious name, or falsely makes, forges, or counterfeits any oath, notice, affidavit, certificate, order, record, signature, or other instrument, paper, or proceeding required or authorized by any law relating to or providing for the naturalization of aliens; or who utters, sells, disposes of, or uses as true or genuine, or for any unlawful purpose, any false, forged, ante-dated, or counterfeit, oath, notice, certificate, order, record, signature, instrument, paper, or proceeding above specified; or sells or disposes of to any person other than the person for whom it was originally issued, any certificate of citizenship, or certificate showing any person to be admitted a citizen, shall be punished by imprisonment at hard labor not less than one year, nor more than five years, or by a fine of not less than three hundred nor more than one thousand dollars, or by both such fine and imprisonment.—(*Rev. Stats. U. S.*, Sec. 5424.)

USING FALSE CERTIFICATE OF CITIZENSHIP, &c.

Every person who uses, or attempts to use, or aids, or assists, or participates in the use of any certificate of citizenship, knowing the same to be forged, or counterfeit, or ante-dated, or knowing the same to have been procured by fraud or otherwise unlawfully obtained ; or who, without lawful excuse, knowingly is possessed of any false, forged, ante-dated, or counterfeit certificate of citizenship, purporting to have been issued under the provisions of any law of the United States relating to naturalization, knowing such certificate to be false, forged, ante-dated or counterfeit, with intent unlawfully to use the same ; or obtains, accepts, or receives any certificate of citizenship known to such person to have been procured by fraud or by the use of any false name, or by means of any false statement made with intent to procure, or to aid in procuring, the issue of such certificate, or known to such person to be fraudulently altered or antedated ; and every person who has been or may be admitted to be a citizen who, on oath or by affidavit, knowingly denies that he has been so admitted, with intent to evade or avoid any duty or liability imposed or required by law, shall be imprisoned at hard labor not less than one year nor more than five years, or be fined not less than three hundred dollars nor more than one thousand dollars, or both such punishments may be imposed.—(*Rev. Stats. U. S.*, Sec. 5425.)

USING FALSE CERTIFICATE, &c., AS EVIDENCE OF A RIGHT TO VOTE.

Every person who in any manner uses for the purpose of registering as a voter, or as evidence of a right to vote, or otherwise, unlawfully, any order, certificate of citizenship, or certificate, judgment, or exemplification, showing any person to be admitted to be a citizen, whether heretofore or hereafter issued or made, knowing that such order or certificate, judgment or exemplification has been unlawfully issued or made ; and every person who unlawfully uses, or attempts to use, any such order or certificate, issued to or in the name of any other person, or in a fictitious name, or the name of a deceased person, shall be punished by imprisonment at hard labor not less than one year nor more than five years, or by a fine of not less than three hundred nor more than one thousand dollars, or by both such fine and imprisonment.—(*Rev. Stats. U. S.*, Sec. 5426.)

AIDING OR ABETTING VIOLATION OF PRECEDING SECTIONS.

Every person who knowingly and intentionally aids or abets any person in the commission of any felony denounced in the three preceding sections, or attempts to do any act therein made felony, or counsels, advises, or procures, or attempts to procure, the commission thereof, shall be punished in the same manner and to the same extent as the principal party.—(*Rev. Stats. U. S.*, Sec. 5427.)

FALSELY CLAIMING CITIZENSHIP.

Every person who knowingly uses any certificate of naturalization heretofore granted by any court or hereafter granted, which has been or may be procured through fraud or by false evidence, or has been or may be issued by the clerk, or any other officer of the court without any appearance and hearing of the applicant in court and without lawful authority; and every person who falsely represents himself to be a citizen of the United States, without having been duly admitted to citizenship, for any fraudulent purpose whatever, shall be punishable by a fine of not more than one thousand dollars, or be imprisoned not more than two years, or both.—(*Rev. Stats. U. S.*, Sec. 5428.)

PROVISIONS APPLICABLE TO ALL COURTS OF NATURALIZATION.

The provisions of the five preceding sections shall apply to all proceedings had or taken, or attempted to be had or taken, before any court in which any proceeding for naturalization may be commenced or attempted to be commenced.—(*Rev. Stats. U. S.*, Sec. 5429.)

CHAPTER 927.

AN ACT

CONCERNING NATURALIZATION AND REGULATING THE PROCEDURE IN
CASES OF NATURALIZATION IN COURTS OF THIS STATE.

BECAME A LAW JUNE 5, 1895, WITH THE APPROVAL OF THE GOVERNOR.

The People of the State of New York, represented in Senate and Assembly, do enact as follows :

COURTS HAVING JURISDICTION.

SECTION 1. The Supreme Court in the respective Judicial Districts and the County Courts in the respective counties of this State shall have jurisdiction of declarations of intention, and of applications of aliens to become citizens of the United States; no other court or courts now or hereafter established by this State shall entertain a primary or final declaration or application made by or on behalf of an alien to be admitted to become a citizen of the United States, or have or entertain jurisdiction of the naturalization of an alien; nor shall any clerk of any such court or courts receive any such declaration, application or papers.

PRIMARY DECLARATIONS OF INTENTION.

SECTION 2. Primary declarations of intention of aliens to become citizens of the United States may be recorded and filed in the Supreme Court in the respective judicial districts and the County Courts in the respective counties of this State at any time, and the requisite and prescribed oath administered by the clerk of the court at the time of such recording and filing; a complete record of each and every of the said declarations shall be entered in the proper docket of the court by the clerk thereof, which said record the alien shall subscribe, or cause to be subscribed, and he shall also add, or cause to be added, in writing, the street and number of the house in which he resides, and the name of the

city, town, village or other place where such residence is situated; provided, that where the street and number, as required by the provisions of this section of this act, cannot be given, the place of residence shall be described with sufficient accuracy for identification.

FINAL APPLICATIONS OF ALIENS.

SECTION 3. Final applications of aliens to be admitted to become citizens of the United States, made in any of the courts of this State in which, by the provisions of this act, such applications may be made, may be filed in term time or during vacation; but *final action thereon* shall be had *only on stated days*, to be fixed by rule of the respective courts; every application shall be entered on the docket of the court on the day on which the application shall be made; *such application shall be in the form of a petition, subscribed and verified by the oath of the applicant, and shall be filed in the court to which it is presented* AT LEAST FOURTEEN DAYS *before final action thereon shall be had*; the petition herein provided for shall state the place and country of the birth of the petitioner and the time and place of his arrival in the United States, the grounds on which he claims the right to be naturalized, and shall set forth his name in full, his age and occupation, the name of the street and the number of the house in which he resides, and the name of the city, town, village or other place in which such residence is situated, and the name of the person or the names of the persons whom the said applicant intends to summon as witnesses at the final hearing upon his said application, together with the street and number of the residence or residences of such witnesses; *simultaneously with the presentation and filing of the petition* herein prescribed and provided for, *there shall also be filed an affidavit of a person, who must be a citizen of the United States, and who may or may not be a person whom the petitioner intends to summon as a witness at the final hearing upon his application to be admitted to become a citizen of the United States*, which said affidavit shall set forth the full name, residence and occupation of the affiant, and that the affiant is a citizen of the United States and is personally well acquainted with the petitioner and that the said petitioner will have resided for five years within the United States, and one year within the State of New York, immediately preceding the return day of the petition, and that during that time the said petitioner has behaved as a man of good moral character, attached to the principles of the constitution of the United States, and well disposed to the good order and happiness of the same, provided that

in applications made pursuant to sections *two thousand one hundred and sixty-six* and *two thousand one hundred and seventy-four of the revised Statutes of the United States*, it shall be sufficient for the affiant to swear to the length of residence or service required by said sections respectively, and in applications made pursuant to section *two thousand one hundred and sixty-seven of the revised Statutes of the United States*, and any amendments thereof, the affiant shall also declare his belief, *with the grounds therefor*, that for the portion of the *two years* next preceding the return day of the said petition that has elapsed at the time of its presentation, it has been *bona-fide* the intention of the petitioner to become a citizen of the United States ; provided, that in applications where the street number, as required by the provisions of this section of this act, cannot be given, the place or places of residence shall be described with sufficient accuracy for identification ; and provided further, that none of the provisions and requirements of this act shall be deemed to dispense with, nor shall they or any of them dispense with, the evidence and proofs ; or other requirements, provided for and required in cases of naturalization under, in accordance with, and by virtue of the provisions of the revised statutes of the United States and the laws of Congress.

NOTICE OF APPLICATION.

SECTION 4. Every person who may or shall hereafter make application in any of the courts of this State, in which by the provisions of this act such application may be made, to be admitted to become a citizen of the United States, *shall give notice in writing* of his application to the clerk of the city, town, village or other place where he resides, or, if there be no clerk, then to the officer or person performing similar duties in such place of his residence, **AT LEAST FOURTEEN DAYS before the final hearing upon his application**, as aforesaid, which said notice shall contain his full name, age, occupation, residence and the name of the court in which his said petition has been filed and is pending ; it shall be the duty of such clerk, or other officer or person, to make and preserve a complete record of all such notices in a form convenient for public inspection, and to give each applicant who has given such notice a certificate that the provisions of this section of this act have been complied with, *and this certificate shall be filed by the said petitioner in the court in which his said petition is filed and pending determination* before final action thereon shall be taken by the court.

POSTING OF NOTICE.

SECTION 5. The clerk, or other officer or person performing similar duties, of the city, town, village or other place of the applicant's residence, shall, within seven days from the receipt of the notice prescribed in the preceding section, post in at least two public places in such city, town, village or other place, the date of the receipt of the notice, the name of the applicant, his age, occupation, residence and court in which his petition is pending, on lists, with blank forms containing the following headings :

Date of Receipt of Notice.	Name.	Age.	Occupation.	Residence.	Court in which Petition is Pending.

RECORD OF FINAL APPLICATIONS.

SECTION 6. A record of every final application to be admitted to become a citizen of the United States shall be kept by the clerk of the court in which such application shall be made, and shall be open to the inspection of the public, at reasonable times and upon proper demand; such record shall contain the names of all applicants, arranged alphabetically according to their surnames, and also the residences of the said applicants; it shall further state the nationality of each applicant and the form and nature of the application, whether based upon a preliminary declaration of intention or upon a petition founded upon and made in accordance with the provisions and requirements of section two thousand one hundred and sixty-seven of the revised statutes of the United States, and any amendments thereof, or otherwise; and it shall further state the name of the witness, or the names of the witnesses, summoned by the said applicant and appearing upon his final application to be admitted to become a citizen of the United States, with the residence or residences of such witness or witnesses; *a return shall be made annually by the several clerks, on or before the first day of February of each year, to the Secretary of State, of the full name and residence of each and every person so naturalized and admitted to become a citizen of the United States during the year prior to the first day of the preceding January, together with the date of such naturalization and admission to citizenship; and the returns so made shall be filed and*

kept by the Secretary of State in a form convenient for reference. Copies of such returns, certified by the Secretary of State under his official seal, shall be prima facie evidence of the facts therein stated.

FEEs.

SECTION 7. The fees of the clerk or other officers or persons of cities, towns, villages or other places for recording of the notice and the issuing of the certificate provided for under the provisions of the *fourth* and *fifth* sections of this act, shall be the sum of *fifty cents* for each application.

PENALTY FOR VIOLATION OF PROVISIONS.

SECTION 8. Any clerk or other person who records or files any declaration or application in any case of naturalization, or issues any certificate in any case of naturalization, in violation of provisions of this act or any of them, shall be punished by a fine of one hundred dollars.

PAYMENT OF FEES BY POLITICAL COMMITTEES PROHIBITED.

SECTION 9. No political committee or committee of any political party, and no person who has received or accepted a nomination for any political office, shall make any payment or promise of payment of money to or on behalf of any person for fees for the primary or final declaration or application for naturalization, or for services as attorney or counsel, or as agent or otherwise in assisting or enabling any person or persons to make such declaration or application; whoever violates any of the provisions of this section of this act shall be punished upon conviction thereof, by a fine of not less than five hundred dollars nor more than one thousand dollars.

SECTION 10. All acts and parts of acts inconsistent with the provisions of this act are hereby repealed.

SECTION 11. This act shall take effect immediately.

NATURALIZATION.

In pursuance of Chapter 927, Laws of 1895, passed June 5th, 1895, entitled "An act concerning naturalization and regulating the procedure in cases of naturalization in the Courts of this State," which provides that the Supreme Court in the respective Judicial Districts and the County Courts in the respective counties shall have jurisdiction of declarations of intention and of applications of aliens to become citizens of the United States, and in accordance with the Revised Statutes of the United States, the following are the requirements:

DECLARATION OF INTENTION.

(Or First Paper.)

The alien shall declare on oath before a Circuit or District Court of the United States, or a District or Supreme Court of the Territories, or a Court of Record of any of the States having common law jurisdiction, and a seal and clerk, two years, at least, prior to his admission, that it is *bona fide* his intention to become a citizen of the United States, and to renounce forever all allegiance and fidelity to any foreign prince, potentate, state or sovereignty, and, particularly, by name, to the prince, potentate, state or sovereignty of which the alien may be at the time a citizen or subject.

The person making such a declaration, signs his full name and residence in a book of records, called the "Declaration Book," and after taking the oath prescribed by law, a certified copy of the declaration of intention under the seal of the court is given to the applicant, which must be produced (or a copy thereof) upon final application for citizenship.

A witness is not necessary to such declaration of intention (or first paper), and it may be made at any time after the arrival of the alien.

FORM OF DECLARATION OF INTENTION.

UNITED STATES OF AMERICA.

STATE OF NEW YORK, }
CITY AND COUNTY OF NEW YORK, } ss.

Be it Remembered, That on the.....day of.....
in the year of our Lord one thousand nine hundred and.....
personally appeared.....
in the Supreme Court of the State of New York, First Judicial District,
(said Court being a Court of Record, having common law jurisdiction, a
Clerk and a Seal), and made his Declaration of Intention to become a Citizen
of the United States of America, in the words following, to wit:

"I,.....
do declare on oath, that it is *bona fide* my Intention to become a Citizen of
the United States of America, and to renounce forever all allegiance and
fidelity to any foreign Prince, Potentate, State or Sovereignty whatever, and
particularly to the....., of whom I am
now a subject, (and that I arrived in the United States on the.....day of
.....18....)

Sworn, this.....day }
of190.... }

Residence,.....

N. Y. City.

..... Asst. Special Deputy Clerk.

In Attestation Whereof, and that the foregoing is a true
copy of the original Declaration of Intention remain-
ing of record in my office, I,.....
Clerk of the said Court, have hereunto subscribed my
name and affixed the seal of the Court, this.....
day of.....190....

[Seal.]

.....Clerk.

HOW TO BECOME A CITIZEN ON DECLARATION OF INTENTION.

(See Section 2165, Revised Statutes of the United States, page 5 of this book.)

Under Section 2165, which applies only to aliens who arrived in this country *after the age of eighteen years*, the following are the requirements for naturalization:

1. A declaration of intention.
2. Two years must have elapsed between the declaration of intention and the application for citizenship.
3. The applicant must have resided within the United States for a continued term of five years, and within the State of New York one year at least immediately preceding his application.
4. Good moral character, attached to the principles of the Constitution of the United States, and well disposed to the good order and happiness of the same.

The *first* and *second* requirements are proven by the declaration of intention.

The *third* and *fourth* requirements must be proven to the satisfaction of the court by other testimony than that of the applicant.

RESIDENCE.

There must be a continuous residence of five years on the part of the applicant in the United States, but temporary *absence* either on business or pleasure is permitted.

The words "continued term of five years at least next preceding the present time" (see form of final affidavit, page 27) mean a residence not interrupted by a permanent absence. If, however, the applicant accompanied by his family goes to another country with the intention of taking up his residence there, and to pursue his business, even for a limited time, this would prevent him from becoming a citizen, because then he renounces his intention of remaining here, although he may have made his declaration of intention to become a citizen.

A further continued residence of five years from the date of his return will then be necessary.

This rule applies, also, to single persons.

As to the residence in the State, that must be for at least one year continuously, immediately preceding the application ; and any temporary *residence* in another State during this time will bar the applicant from admission. Of course, *temporary absence*, such as spending the summer in the country, or a business trip to another State for a short time, would not deprive the applicant of his right.

ADDITIONAL REQUIREMENTS, &c.

The *additional* requirements in accordance with the provisions of Chapter 927, Laws of 1895, regulating the procedure of Naturalization in the courts of this State are as follows :

1. The application must be in the form of a petition, subscribed and sworn to by the applicant before a Notary Public or a Commissioner of Deeds, and must be filed in the court to which it is presented *at least fourteen days* before final action thereon is taken.

FORM OF PETITION.

SUPREME COURT OF THE STATE OF NEW YORK,
FIRST JUDICIAL DISTRICT.

In the Matter of the Application of

to be admitted as a Citizen of the United
States of America.

To the Supreme Court of the State of New York:

Your petitioner respectfully shows to this Court:

That his full name is.....
and that he is..... years of age, and was born at.....
in..... That he arrived in the United States at the Port
of..... on the..... day of..... 18.....,
that he claims the right to be naturalized because of the fact that he
DECLARED HIS INTENTION to become a citizen of the United States of
America, a copy of which is hereto annexed, and that he has resided in the
United States for years last past, and in the State of New York
for..... years last past; that he is a.....
by occupation; that he resides at No..... Street,
in the City of New York; that he intends to summon.....
..... who resides at No..... Street,
in the City of New York, as a witness as to his qualifications for citizenship.

All of which is respectfully submitted.

Dated, City of New York, 190

Petitioner.

City of New York, County of New York, ss.:

The above named petitioner, being duly sworn, says, that he has read
the foregoing petition and knows the contents thereof; that the same is true
to his own knowledge except as to the matters therein stated to be alleged on
information and belief, and as to those matters he believes it to be true.

Sworn to before me this..... day }
of 190.. }

Petitioner.

Notary Public, N. Y. Co.

2. An affidavit of a person, *who must be a citizen of the United States*, and who may or may not be the person whom the petitioner intends to summon as a witness at the final hearing upon his application to be admitted to become a citizen of the United States, which affidavit must be subscribed and sworn to before a Notary Public or a Commissioner of Deeds.

FORM OF AFFIDAVIT.

SUPREME COURT OF THE STATE OF NEW YORK,
FIRST JUDICIAL DISTRICT.

In the Matter of the Application of

to be admitted as a Citizen of the United
States of America.

City of New York, County of New York, ss.:

.....being duly sworn, says that
he resides at No.....Street, in the City of New
York; that he is a.....by occupation, and is a
citizen of the United States; that he is personally well acquainted with the
above-named petitioner, and has known him since the.....day
of.....18.....; that the said petitioner has resided
continuously five years at least within the United States, and in the State of
New York one year, at least, immediately preceding the return day of this
application; and that during that time he has behaved as a man of good
moral character, attached to the principles of the Constitution of the United
States, and well disposed to the good order and happiness of the same.

Sworn to before me this.....day
of.....190..

Witness.

Notary Public, N. Y. Co.

3. A notice must be given in writing by the applicant, *at least fourteen days* before the final hearing upon his application, to the clerk of the city, town, village or other place where he resides.

FORM OF NOTICE.

SUPREME COURT OF THE STATE OF NEW YORK,
FIRST JUDICIAL DISTRICT.

IN THE MATTER OF The Application of..... by occupation a..... to be admitted as a citizen of the United States of America.
--

To the City Clerk of the City of New York :

You will please take Notice, That

I,
have filed a petition entitled as above to be admitted as a citizen of the United States of America ; that my full name is.....
as stated in said petition ; that my age is.....years ; that my residence is No.....in the City of New York ;
that the name of the Court in which said petition is filed and is pending is the Supreme Court of the State of New York, First Judicial District.

Dated New York,.....190....

4. Upon filing such notice with the city clerk, a certificate is given to the applicant certifying that the provisions of Section 4, of the Laws of 1895, have been complied with, and *this certificate must be filed by the petitioner, in the court where his petition is filed*, before final action thereon can be had.

FORM OF CERTIFICATE.

No.....

THE CITY OF NEW YORK,
CITY CLERK'S OFFICE, BOROUGH OF MANHATTAN. }

I Hereby Certify, That

.....

an applicant to be admitted to become a

CITIZEN OF THE UNITED STATES,

has complied with the provisions of Section 4, Chapter 927, of the Laws of 1895, by serving upon me a notice containing the following particulars :

Date of Receipt of Notice.	Date of Hearing of Petition	Name.	Age	Occupation	Residence

The petition is pending in the Supreme Court of the State of New York,
First Judicial District.

[Seal.]

Posted 190

City Clerk.

RULES FOR NATURALIZATION.

Naturalization only on Mondays, Wednesdays and Thursdays.

Rule XIII. of the Supreme Court in the First Judicial District designates *Mondays, Wednesdays and Thursdays* of each week during the year as the stated days for final hearing on all applications of aliens to be admitted to become citizens of the United States.

After the expiration of the fourteen days from the date of filing said notice, the applicant with his witness, who must be a citizen of the United States, may appear on the return day appointed for final hearing before the court in which his petition and notice were filed. If for any reason the witness who was present at the time of filing the petition cannot attend, then some other person who is a citizen of the United States and is personally well acquainted with said petitioner and can swear of his own knowledge to the facts stated in said petition and affidavit, may appear as a witness at the final hearing.

If it should be impossible for the applicant with his witness to appear for naturalization on the return day specified at the time of filing his application, he may apply on any Monday, Wednesday or Thursday thereafter.

WHY APPLICANTS MUST READ THE CONSTITUTION OF THE UNITED STATES.

The law requires that in order to be admitted a citizen of the United States, the applicant must give satisfactory proof of his attachment to the principles of the Constitution of the United States. It will be necessary, therefore, for the applicant to read the Constitution of the United States (page 58) and be prepared to answer all questions put to him by the court as to his knowledge of its provisions.

FORM OF FINAL AFFIDAVIT, OATH AND ORDER.

SUPREME COURT OF THE STATE OF NEW YORK, FIRST JUDICIAL DISTRICT.

In the Matter of the Application of	Applicant arrived in U. S.
By occupation.....18...
to be admitted a citizen of the United States of America.	Witness became acquainted with applicant.....18...

STATE OF NEW YORK, {
CITY AND COUNTY OF NEW YORK, } ss.
being duly sworn, says, he resides at No. Street,
in the City of New York ; that he is a citizen of the United States ; that he is
well acquainted with the above-named applicant ; that the said applicant has
resided within the United States for the *continued term of five years, at least,
next preceding the present time*, and within the State of New York one year,
at least, immediately preceding this application ; and that, during that time,
he has behaved as a man of good moral character, attached to the principles
of the Constitution of the United States, and well disposed to the good order
and happiness of the same.

Sworn in open Court, this.....day {
of.....190..... }
Witness.
.....Clerk.

STATE OF NEW YORK, {
CITY AND COUNTY OF NEW YORK, } ss. I,.....
residing in No. do solemnly swear that
I will support the Constitution of the United States ; and that I do absolutely
and entirely renounce and abjure all allegiance and fidelity to every foreign
Prince, Potentate, State or Sovereignty whatever, and particularly to
the.....of whom I was before a subject.

Sworn in open Court, this.....day {
of.....190..... }
.....Clerk. Applicant.

AT A SPECIAL TERM OF THE SUPREME COURT OF THE STATE
OF NEW YORK, FIRST JUDICIAL DISTRICT, held in the Court House
of the City of New York, on the.....day of.....190..
PRESENT, Hon.....JUSTICE.

IN THE MATTER
OF THE
Application of the *within named* applicant to
be admitted a citizen of the United States
of America.

The said applicant appearing personally in Court, producing the
evidence required by the acts of Congress, and having made such de-
claration and renunciation, and having taken such oaths as are by the
said acts required, IT IS ORDERED by the said Court, that the said
applicant be admitted to be a Citizen of the United States of America.

Enter

TITLES OF NOBILITY.

(See Sec. 2165, subdivision 4, Revised Statutes, U. S., page 6 of this book.)

In case the applicant has borne any hereditary title, or been of any of the orders of nobility, he shall, in addition to the ordinary oath, make an express renunciation of the same at the time of his application.

PROCEEDINGS IN COURT.

The applicant and his witness, when the former appears for naturalization on the return day appointed, are sworn in open court to make true answers to such questions as shall be put to them by the court, and after having answered all questions to the satisfaction of the court, and the applicant has declared on oath to support the Constitution of the United States, and renounced his allegiance to foreign countries, the Justice presiding thereupon signs the order admitting him to citizenship, and a certificate is issued to the applicant by the clerk as evidence of the fact of his admission.

LOST CITIZEN PAPERS.

Duplicates of citizen papers can be had at any time on application to the clerk of the court from which they were originally issued on payment of fee.

FORM OF CERTIFICATE OF CITIZENSHIP.

**UNITED STATES OF AMERICA,
STATE OF NEW YORK.**

CITY AND COUNTY OF NEW YORK, SS.:

Be it Remembered, That on the.....
day of.....in the year of our Lord, one thousand
nine hundred and... ..

.....
appeared in the Supreme Court of the State of New York, First Judicial
District (a Court of Record, having Common Law Jurisdiction, a Clerk and
Seal,) and applied to the said Court to be admitted to become a

CITIZEN OF THE UNITED STATES OF AMERICA,

pursuant to the provisions of the several acts of the Congress of the United
States of America, for that purpose made and provided. And the said appli-
cant, having produced to the said Court such evidence, having made such
declaration and renunciation, and having taken such oaths as are by the said
acts required :

Thereupon, It was ordered by the Court, that the said applicant be ad-
mitted, and he was accordingly admitted to be a Citizen of the United
States of America.

In Testimony Whereof, The seal of the said Court is here-
unto affixed, this.....day of.....one
[SEAL.] thousand nine hundred and.....and in the
one hundred and.....year of the Independence
of the United States.

Per Curiam,

.....*Clerk.*

CHANGE OF NATURALIZED CITIZEN'S NAME.

AMENDMENT OF CERTIFICATE.

It has been decided in the Supreme Court, Special Term, New York County (in re NIGRI, 66 N. Y., Supp. 182), that a naturalized alien, who subsequently obtains an order of Court changing his name, is not entitled to have his naturalization certificate amended to conform to the change.

The following is the decision :

McADAM, J.—The petitioner was naturalized in New York, Superior Court, October 23d, 1891, under the name of Patrick Nigri. Thereafter, and on July 27th, 1900, he obtained an order changing his name to Fabrizio Nigri, and he now moves to amend his Certificate of Naturalization to conform to the change. The order was made in an independent proceeding, and in no way necessitates, or even permits, an amendment of the certificate of naturalization. Amendments are sometimes allowed in naturalization as in other special proceedings, but only to correct some error existing at the time of naturalization, and the sole purpose is to make the record a truthful one. The petitioner may have recourse to one of two remedies :

He may renaturalize under the new name upon surrendering the old certificate and filing with the original declaration a certified copy of the order changing his name ; or he may annex a certified copy of said order to the naturalization certificate already issued, and the two documents read together will constitute one truthful history, and make a record that answers all legal requirements. The only effect of the order of this court was to permit the petitioner to thereafter bear a new name. It took from him none of his legal rights, and did not impair those flowing from or growing out of the naturalization. To change the record in the manner sought would insert in a document issued in 1891 a name which the petitioner did not then bear. The application in the present form must, therefore, be denied.

SOLDIERS.

(See Section 2166, Revised Statutes of United States, page 6 of this book.)

The following are the requirements under this section :

1. An honorable discharge from the armies of the United States.
2. One year's residence in the United States previous to his application.
3. Good moral character, attached to the principles of the Constitution of the United States, and well disposed to the good order and happiness of the same.
4. Proof as to the identity of the person mentioned in the discharge.

The *first* requirement is proven by the certificate of discharge ; but should that be lost, the fact of the applicant having possessed such an honorable discharge may be proven to the satisfaction of the court by other documentary evidence, obtainable from the Adjutant General's office in Washington, or Chief of the Pension Bureau.

The *second*, *third* and *fourth* requirements must be proven to the satisfaction of the court by other testimony than that of the applicant.

The *additional* requirements in accordance with the provisions of Chapter 927, Laws of 1895, regulating the procedure of Naturalization in the courts of this State (see form of petition, affidavit, and notice under heading "Additional Requirements," &c., page 21) apply to honorably discharged soldiers ; except that it is sufficient to prove to the satisfaction of the court by some person other than the applicant, and who is a citizen of the United States, that the said applicant has resided *one* year in the United States previous to his application.

Read "Rules for Naturalization" on page 26.

"Why Applicants must read the Constitution of the United States," page 26.

The *final application* under Section 2166 of the Revised Statutes of the United States is made by petition, showing the age of the applicant ; in what regiment, when and where he enlisted and the like information as to his discharge ; which petition must be verified in open court.

FORM OF FINAL PETITION, AFFIDAVIT, OATH AND ORDER.

SUPREME COURT OF THE STATE OF NEW YORK.

FIRST JUDICIAL DISTRICT.

IN THE MATTER OF

.....
on his petition to become a citizen of the
United States.

Certificate of discharge
submitted to the Court and
returned to applicant.

To the Supreme Court of the State of New York, First Judicial District :

The petition of.....respectfully shows : That he is
of the age of twenty-one years and upward, and has resided within the United
States for the continued term of one year next preceding the present time ;
that your petitioner enlisted in the Army of the United States, in the.....
Regiment of New York Volunteers, on the.....day of.... 18....,
at.....in the State of New York, and was honorably discharged
therefrom on the....day of.....18...., at.....;
your petitioner therefore asks to be admitted to become a citizen of the
United States, pursuant to Sec. 21 of the Act of Congress, passed July 17,
1862, entitled "*An Act to define the pay and emoluments of certain officers of
the Army, and for other purposes.*"

.....Applicant.

STATE OF NEW YORK, }
CITY AND COUNTY OF NEW YORK, } ss.

.....the within-named petitioner, being
duly sworn, says that the matters contained in the foregoing petition are
true.

.....Applicant.

Sworn in open Court, this.....day }
of.....190.. }

.....Clerk.

STATE OF NEW YORK, }
 CITY AND COUNTY OF NEW YORK, } ss.
 being duly sworn, says, that he is a citizen of the United States, that he resides at No.....; that he is well acquainted with the above-named petitioner; and that the said petitioner has resided within the United States for the continued term of one year, at least, next preceding the present time; and that during that time he has behaved as a man of good moral character; attached to the principles of the Constitution of the United States; and well disposed to the good order and happiness of the same; and that he knows the said applicant to be the identical person mentioned and described in the foregoing petition and in the certificate of discharge from the service of the United States Army, now produced to the Court.

Sworn in open Court, this day {
of 190.. } *Witness.*
 *Clerk.*

STATE OF NEW YORK, }
 CITY AND COUNTY OF NEW YORK, } ss. I,
 residing at No..... do solemnly swear that I will support the Constitution of the United States; and that I do absolutely and entirely renounce and abjure all allegiance and fidelity to every foreign Prince, Potentate, State or Sovereignty whatever, and particularly to the..... of whom I was before a subject.

Sworn in open Court, the day {
of 190.. } *Applicant.*
 *Clerk.*

AT A SPECIAL TERM OF THE SUPREME COURT OF THE STATE
 OF NEW YORK, FIRST JUDICIAL DISTRICT, held in the Court House
 of the City of New York, on the.....day of.....190...
 PRESENT, Hon.....JUSTICE.

IN THE MATTER OF THE
 Application of the *within named* applicant
 to be admitted a citizen of the United
 States of America.

The said applicant appearing personally in Court, producing his certificate of discharge from the service of the United States Army, and the evidence required by the Acts of Congress, and having made such declaration and renunciation, and having taken such oaths as are by the said acts required, IT IS ORDERED by the said Court, that the applicant be admitted to be a Citizen of the United States of America.

Enter

*Read "PROCEEDINGS IN COURT" on page 28, also see form of
 "CERTIFICATE OF CITIZENSHIP," page 29.*

MINORS.

(See Section 2167, Revised Statutes of the United States, page 6 of this book).

Under Section 2167, which applies only to aliens who arrived in this country *before* the age of *eighteen* years, the following are the requirements :

1. The applicant must have been *under* the age of *eighteen* years at the time of his arrival in the United States.
2. He must be twenty-one years of age at the time of making the application.
3. That he has resided in the United States continuously for three years next preceding his arrival at the age of twenty-one years, and in the United States for a continued term of five years, and in the State of New York one year, at least, immediately preceding his application.
4. That for two years next preceding his application it has been his *bona fide* intention to become a citizen of the United States, and renounce his allegiance to foreign countries.
5. Good moral character, attached to the principles of the Constitution of the United States, and well disposed to the good order and happiness of the same.

The *first* and *second* requirements are the most important facts to be proven to the satisfaction of the court, and it is necessary to produce a witness, *a relative if possible*, who has positive knowledge as to when the applicant was born, and how old he was at the time of his arrival in this country ; or else, some documentary evidence, as a record of his birth in the family bible, or a certificate of baptism. Before applying for naturalization, therefore, under Section 2167, the applicant should be prepared to produce such evidence as will satisfy the court with regard to these two facts—*birth* and *arrival*.

The *third* requirement must be proven to the satisfaction of the court by a witness other than the applicant, and the same rule applies with regard to residence, as in the proceedings after a declaration of intention has been made.

(See "*Residence*" on page 20.)

If the alien after his arrival here under the age of eighteen years and before making application to become a citizen should go to some foreign country with the intention of taking up his residence there, and to pursue his business, such an absence

would be deemed sufficient to bar him from citizenship, until he declares his intention to become a citizen and has resided in the United States at least five years after his return, as provided in Section 2165, *Rev. Stats., U. S.*

The *fourth* and *fifth* requirements must also be proven to the satisfaction of the court by other testimony than that of the applicant.

For additional requirements, as to form of application, affidavit, notice, etc., read "Additional Requirements" on page 21, with the exceptions that the petition states when the applicant was born and his age on his arrival in the United States ; and in the affidavit, the witness declares his believe, with the grounds therefor, that for two years next preceding the application it has been *bona fide* the intention of the applicant to become a citizen of the United States.

*Read "Rules for Naturalization" on page 26 and
"Why Applicants must read the Constitution of the United States"
on page 26.*

**FORM OF FINAL AFFIDAVIT, DECLARATION, OATH AND
ORDER.**

**SUPREME COURT OF THE STATE OF NEW YORK,
FIRST JUDICIAL DISTRICT.**

IN THE MATTER OF THE
Application of.....
By occupation.....
to be admitted a citizen of the United States of America.

STATE OF NEW YORK, { ss.
CITY AND COUNTY OF NEW YORK, {

the above-named applicant, being duly sworn, says, that he was born on the day of in the year one thousand eight hundred and and emigrated to the United States, landing at the Port of in the State of on or about the day of A. D. 18...., and that he now resides at No. Street, in the City of New York ; that he has arrived at the age of twenty-one years ; that he has resided in the United States three years next preceding his arrival at that age, and has continued to reside therein to the present time ; that he has resided five years within the United States, including the three years of his minority, and one year at least immediately preceding this application within the State of New York ; and that for two years next preceding this application it has been *bona fide* his intention to become a citizen of the United States.

Sworn in open Court, this {
day of 190... { *Applicant.*

..... *Clerk.*

STATE OF NEW YORK, { ss.
CITY AND COUNTY OF NEW YORK, {

being duly sworn, says, that he is a citizen of the United States ; that he resides at No. Street, in the City of New York, and is by occupation... and that he became well acquainted with the above-named applicant on the day of 18...., and that the said applicant has resided in the United States for three years next preceding his arrival at the age of twenty-one years ; that he has continued to reside therein to the present time ; that he has resided five years within the United States, including the three years of his minority, and in the State of New York one year, at least, immediately preceding this application ; and that during that time he has behaved as a man of good moral character, attached to the principles of the Constitution of the United States, and well disposed to the good order and happiness of the same ; and deponent verily believes, that for two years next preceding this application it has been *bona fide* the intention of the said applicant to become a citizen of the United States.

Sworn in open Court, this {
day of 190... { *Witness.*

..... *Clerk.*

STATE OF NEW YORK, }
 CITY AND COUNTY OF NEW YORK, } ss. I,
 the above-named applicant, do declare, on oath, that it is *bona fide* my inten-
 tion, and has been for two years next preceding this application, to become a
 citizen of the United States ; and to renounce forever all allegiance and fidel-
 ity to every foreign Prince, Potentate, State or Sovereignty whatever, particu-
 larly to the of whom I am now a subject.

Sworn in open Court, this {
day of 190... } *Applicant.*
 *Clerk.*

STATE OF NEW YORK, }
 CITY AND COUNTY OF NEW YORK, } ss. I,
 the above-named applicant, do solemnly swear that I will support the Con-
 stitution of the United States ; and that I do absolutely and entirely renounce
 and abjure all allegiance and fidelity to every foreign Prince, Potentate, State
 or Sovereignty whatever, and particularly to the
 of whom I was before a subject.

Sworn in open Court, this {
day of 190... } *Applicant.*
 *Clerk.*

AT A SPECIAL TERM OF THE SUPREME COURT OF THE
 STATE OF NEW YORK, FIRST JUDICIAL DISTRICT, held in the
 Court House of the City of New York, on the day
 of 190....

PRESENT, Hon JUSTICE.

IN THE MATTER OF THE Application of the <i>within named</i> applicant to be admitted a citizen of the United States of America.

The said applicant appearing personally in Court, producing
 the evidence required by the acts of Congress, and having made such
 declaration and renunciation, and having taken such oaths as are by
 the said acts required, IT IS ORDERED by the said Court, that the
 said applicant be admitted to be a citizen of the United States of
 America.

Enter

(Read "PROCEEDINGS IN COURT" on page 28, also see form of
 "CERTIFICATE OF CITIZENSHIP," page 29.

WIDOWS AND CHILDREN.

(See Section 2168, Revised Statutes of the United States, page 7 of this book.)

Under this section, if an alien who has declared his intention to become a citizen dies before he is naturalized, his widow and children shall be considered as citizens of the United States, and shall be entitled to all rights and privileges as such *upon taking the oaths prescribed by law.*

ALIENS OF AFRICAN DESCENT.

(See Section 2169, Revised Statutes of the United States, page 7 of this book.)

RESIDENCE IN THE UNITED STATES.

(See Section 2170, Revised Statutes of the United States, page 7 of this book.)

This section unequivocally makes five years residence in the United States on the part of the applicant a necessity.

(But see §§ 2166, 2174.)

ALIEN ENEMIES.

(See Section 2171, Revised Statutes of the United States, page 7 of this book.)

CHILDREN OF PERSONS NATURALIZED.

(See Section 2172, Revised Statutes of the United States, page 7 of this book.)

Under this section the children of persons who have been duly naturalized, and were under the age of twenty-one years at the time of the naturalization of their parents, shall, *if residing in the United States*, be considered as citizens thereof; and the children of persons who now are, or have been, citizens of the United States, shall, though born out of the limits and jurisdiction of the United States, be considered as citizens thereof.

Section 2173. The Police Court of the District of Columbia shall have no power to naturalize foreigners.

SEAMEN.

(See Section 2174, Revised Statutes of the United States, page 8 of this book.)

The following are the requirements under this section :

1. A declaration of intention.
2. The applicant must have served three years on board of a merchant vessel of the United States subsequent to the date of his declaration.

3. A certificate of discharge and good conduct during the three years' service, and that he is attached to the principles of the Constitution of the United States, and well disposed to the good order and happiness of the same.

The *first* requirement is proven by the declaration of intention.

The *second* and *third* requirements are proven by the certificate of discharge and the testimony of a witness.

It is not necessary in applications made under this section to testify as to residence in the United States, because a service of three years on board of a merchant vessel of the United States is, by the provisions of this section, equal to five years' residence in the United States.

The *additional* requirements in accordance with the provisions of Chapter 927, Laws of 1895, &c., are the same as to form of application, affidavit, notice, &c., except with regard to residence in the United States, which has already been explained.

(See "*Additional Requirements*" on page 21, "*Rules for Naturalization*" on page 26, "*Why Applicants must read the Constitution of the United States*" on page 26, and "*Proceedings in Court*" on page 28; also see form of "*Certificate of Citizenship*," page 29.)

NAVY AND MARINE CORPS.

(See page 8 of this book.)

Under this section the requirements are as follows :

1. The applicant must have served five consecutive years in the United States Navy, or one enlistment in the United States Marine Corps.

2. An honorable discharge from the United States Navy or Marine Corps.

3. Good moral character, attached to the principles of the Constitution of the United States, and well disposed to the good order and happiness of the same.

4. Proof as to the identity of the person mentioned in the discharge.

The *first* and *second* requirements are proven by the certificate of discharge.

The *third* and *fourth* must be proven to the satisfaction of the court by the testimony of a witness.

The proceeding under this section is the same as that in the case of a soldier, except that it is not necessary to testify as to the one year's residence in the United States.

The applicant having served five consecutive years in the United States Navy, or one enlistment in the United States Marine Corps, is deemed a resident of the United States for the required term of five years.

The *additional* requirements in accordance with the provisions of Chapter 927, Laws of 1895, &c., are the same as to form of application, affidavit, notice, &c., except with regard to residence in the United States.

(See "*Additional Requirements*," page 21, "*Rules for Naturalization*," page 26, "*Why Applicants must read the Constitution of the United States*," page 26.)

The *final application* under this section is made in a similar manner as that of a soldier (see page 31-33).

(Read "*Proceedings in Court*," page 28; also see form of "*Certificate of Citizenship*," page 29.)

CHINESE.

The naturalization of Chinamen is prohibited by Section 14, Chapter 126, Laws of 1882; (also see sec. 2169, Rev. Stat. U. S., page 7).

A native of Japan, of Mongolian race, is not entitled to naturalization, not being included within the term "white persons" in R. S. U. S., sec. 2169. (*In re Saito*, 62 Fed. Rep., 126.)

FEEES.

The fees in the Courts of this State, as provided by law, are :

For certified copy of declaration of intention,	20 cents.
For filing petition,	50 cents.
For certificate of citizenship,	50 cents.

THE RIGHT OF SUFFRAGE.

Naturalization is a right conferred by the United States.

The right to vote depends upon the laws of the State in which you live.

In the States of Alabama, Arkansas, Colorado, Indiana, Kansas, Michigan, Minnesota, Missouri, Nebraska, Oregon, South Dakota, Texas and Wisconsin, aliens who have declared their intention to become citizens have the same right to vote as naturalized or native-born citizens. In Colorado, Idaho, Utah and Wyoming women have equal suffrage with men at all elections. In the other States only actual citizens (otherwise eligible) are entitled to vote.

QUALIFICATIONS FOR VOTING IN THE STATE OF NEW YORK.

Extract from the "Constitution of the State of New York."
Adopted November 6, 1894, and in force January 1, 1895.

ARTICLE II.

SECTION 1. Every male citizen of the age of twenty-one years, who shall have been a citizen for *ninety days*, and an inhabitant of *this State one year* next preceding an election, and for the *last four months* a resident of the county, and for the *last thirty days* a resident of the election district in which he may offer his vote, shall be entitled to vote at such election in the election district of which he shall at the time be a resident, and not elsewhere, for all officers that now are or hereafter may be elective by the people; and upon all questions which may be submitted to the vote of the people, provided that in time of war no elector in the actual military service of the State, or of the United States, in the army or navy thereof, shall be deprived of his vote by reason of his absence from such election district; and the Legislature shall have power to provide the manner in which and the time and place at which such absent electors may vote, and for the return and canvass of their votes in the election districts in which they respectively reside.

PERSONS EXCLUDED FROM THE RIGHT OF SUFFRAGE.

SECTION 2. No person who shall receive, accept, or offer to receive, or pay, offer or promise to pay, contribute, offer or promise to contribute to another, to be paid or used, any money or other valuable thing as a compensation or reward for the giving or withholding a vote at an election, or who shall make any promise to influence the giving or withholding any such vote, or who shall make or become directly or indirectly interested in any bet or wager depending upon the result of any election, shall vote at such election; and upon challenge for such cause, the person so challenged before the officers authorized for that purpose, shall receive his vote, shall swear or affirm before such officers that he has not received or offered, does not expect to receive, has not paid, offered, or promised to pay, contributed, offered or promised to contribute to another, to be paid or used, any money or other valuable thing as a compensation or reward for the giving or withholding a vote at such election, and has not made any promise to influence the giving or withholding of any such vote, nor made or become directly or indirectly interested in any bet or wager depending upon the result of such election. The Legis-

lature shall enact laws excluding from the right of suffrage all persons convicted of bribery or of any infamous crime.

WHO MAY REGISTER AND VOTE.

Laws shall be made for ascertaining, by proper proofs, the citizens who shall be entitled to the right of suffrage hereby established, and for the registration of voters.

(New York Constitution, art. 2, sec. 4.)

THE ELECTION LAW (N. Y. L., 1896, c. 909).

SECTION 34. *General Provisions.* Subdivision 1.

Qualification of elector.—A person is a qualified elector in any election district for the purpose of having his name placed on the register, if he is or will be, on the day of the election, qualified to vote at the election for which such registration is made. A qualified elector is a male citizen who is or will be on the day of election *twenty-one* years of age, who has been an inhabitant of the state for *one year* next preceding the election, and for the last *four months* a resident of the county, and for the last *thirty days* a resident of the election district in which he may offer his vote. *If a naturalized citizen, he must, in addition to the foregoing provisions, have been naturalized at least ninety days prior to the day of election.*

Residence not gained or lost by certain employments.

Subdivision 2. For the purpose of registering and voting no person shall be deemed to have gained or lost a residence, by reason of his presence or absence while employed in the service of the United States, nor while engaged in the navigation of the waters of this State, or of the United States, or of the high seas; nor while a student of any seminary of learning; nor while kept at any almshouse or other asylum, or institution wholly or partly supported at public expense, or by charity; nor while confined in any public prison. Any person claiming to belong to any class of persons mentioned and referred to in this subdivision shall file with the board of inspectors at the time of registration a written statement showing where he is actually domiciled, his business or occupation, his business address, and to which class he claims to belong. Such statement shall be attached to the register, and be open for public inspection, and the fact thereof shall be noted in the register opposite the name of the person so enrolled.

Subdivision 3. *Refers to illiterate and disabled electors.*

Change of Residence.

Subdivision 4. If any elector, after being enrolled, shall change

his place of residence *within the same election district*, he may appear before the board of inspectors of such district on any day of registration, or on the day of election, and state under oath that he has so changed his residence, and the board of inspectors shall thereupon make the proper correction upon the register of such district.

A citizen who changes his residence from one county to another within the four months previous to any election thereby loses his right to vote at that election. If he changes his residence from one election district to another (even though it may be in the same Assembly district) during the thirty days before any election, he cannot vote at such election. [See qualification of elector, page 42.]

* * * * *

Subdivision 6. *Challenges to applicants for registration.*

* * * * *

Any person who applies personally to any board of inspectors for registration for any election may be challenged by any qualified elector present. * * * *

* * * * *

Subdivision 8. *Production of Naturalization Papers.* It shall be the duty of every naturalized citizen before being registered to produce to the inspector, if any inspector shall require, his naturalization papers, or a certified copy thereof, for their inspection, and to make oath before them that he is the person purporting to have been naturalized by the papers so produced, unless such citizen was naturalized previous to the year *eighteen hundred and sixty-seven*. If, however, such naturalized citizen cannot, for any reason, produce his naturalization papers, or a certified copy thereof, the board of inspectors, or a majority of such board, may place the name of such naturalized citizen upon the register of electors upon his furnishing to such board evidence which shall satisfy such board of his right to be registered.

If a person applying for registration has his naturalization papers in his possession, he should produce them ; but if they cannot be found, secondary evidence of their contents must be received.

(People *ex rel.* Noel *v.* Smith, 10 Misc. 100.)

Where a person asking to be registered claims to be a citizen by virtue of the naturalization of his parents, the best evidence of such naturalization would be the original certificate of naturalization, or a duplicate thereof, when it can be obtained. But a person may, in the matter of proving his citizenship, resort to secondary evidence when primary evidence cannot be had.

(People *ex rel.* O'Donnell *v.* McNally, 59 How. Pr. 500.)

The Supreme Court of the United States has held that where no record of naturalization can be produced, evidence that a person having the requisite qualifications to become a citizen did in fact and for a long time vote, and exercise rights belonging to citizens, is sufficient to warrant a jury in inferring that he has been duly naturalized as a citizen.

(Boyd v. Thayer, 143 U. S. Rep., 135.)

Subdivision 9. Any person knowingly taking a false oath before the board of inspectors shall upon conviction thereof be punished as for willful and corrupt perjury.

VOTING.

While the polls of the election are open (from six o'clock in the forenoon until five o'clock in the afternoon), you may enter within the guard-rail at the polling place *at which you have previously registered*, and forthwith proceed to the inspectors to whom you give your name and residence. If entitled to vote, and your vote is not challenged; or if challenged, and the challenge be decided in your favor, one of the ballot clerks will deliver to you one official ballot, or set of official ballots, folded in the proper manner for voting.

On receiving your ballot, or ballots, you retire alone to one of the voting booths for the purpose of preparing your ballot.

Before unfolding your ballot, you should carefully observe the manner in which it is folded, so that you may have no trouble in refolding it in the proper way after having marked it for voting.

Only a pencil having black lead may be used to mark your ballot.

If you deface or tear a ballot, or one of a set of ballots, or wrongly mark the same, you may successively obtain others, one set at a time, not exceeding in all three sets, upon returning each set of ballots so defaced or wrongly marked to the ballot clerks.

In marking your ballot, you must observe the following rules:

If you desire to vote a straight ticket, that is, for each and every candidate of one party for whatever office nominated, you should make a cross × mark in the circle above the name of the party at the head of the ticket. (See page 46, 48.)

If you desire to vote a split ticket, that is, for candidates of different parties, you should not make a cross × mark in the circle above the name of any party, but should make a cross × mark in the voting space before the name of each candidate for whom you desire to vote on whatever ticket he may be. (See page 49.)

ANI
If the ticket marked in the circle for a straight ticket does not contain the names of candidates for all offices for which you may vote, you may vote for candidates for such offices so omitted by making a cross × mark before the names of candidates for such offices on other tickets, or by writing the names, if they are not printed upon the ballot, in the blank column under the title of the office.

If you desire to vote for any person whose name does not appear upon the ballot, you can so vote by writing the name with pencil having black lead in the proper place in the blank column.

You can vote blank for any office by omitting to make a cross × mark in any circle, and making a cross × mark in the voting space before the name of every candidate you desire to vote for except for the office for which you desire to cast a blank vote.

In case of a question submitted, you should make a cross × mark in the blank square space on the right of and after the answer "Yes" or "No," which you desire to give on each such question submitted.

One straight line crossing another straight line at any angle within a circle, or within the voting spaces, shall be deemed a valid voting mark.

(Election Law, sections 104, 105 ; rules 1—7.)

AND COUNTY TICKET.





DEMOCRATIC TICKET

BLANK COLUMN.

The elector may write in the column below, under the title of the office, the name of any person whose name is not printed upon the ballot, for whom he desires to vote.

For Mayor, ANDREW CAMPBELL.	For Mayor,
For Comptroller, FRANK A. DIX.	For Comptroller,
For President of the Council, CHARLES A. WAGNER.	For President of the Council,
For Justices of the Supreme Court for the — District, WILLIAM E. RILEY.	For Justices of the Supreme Court for the — District.
IRA WILLIAMS.	
For Judges of the City Court, EDWARD L. BORST.	For Judges of the City Court,
ARTHUR K. FRIES.	
For Sheriff, MATTHEW MURPHY.	For Sheriff,
For County Clerk, JOHN L. WREDE.	For County Clerk,
For Register, WILLIAM R. SINNOTT.	For Register,
For District Attorney, CLIFFORD BORSE.	For District Attorney,
For President of the Borough of Manhattan, AMBROSE SPENCER.	For President of the Borough of Manhattan,
For Coroners, Borough of Manhattan, JOHN HANEY.	For Coroners, Borough of Manhattan,
GEORGE W. MURPHY.	
DIODATO VILLAMINO.	
NICHOLAS J. FRIGERT.	
For Councilmen for — District, STEPHEN J. MEAGHER.	For Councilmen for — District,
PHILIP MORRISON.	
KUNO SCHOLZ.	
For Member of Assembly for the — Assembly District, THOMAS MULVEY.	For Member of Assembly for the — Assembly District,
For Alderman for — District, HARRY JETTER.	For Alderman for — District,

ticket make a cross X mark *within the circle*
of the party columns, as illustrated.

 REPUBLICAN TICKET		 DEMOCRATIC TICKET		BLANK The elector the column the title name of name is the ball desires to
	For Mayor, CHARLES NEWMAN.	X	For Mayor, ANDREW CAMPBELL.	
X	For Comptroller, THOMAS R. EDDY.		For Comptroller, FRANK A. DIX.	For
X	For President of the Council, DANIEL FEENEY.		For President of the Council, CHARLES A. WAGNER.	For Pres
	For Justices of the Supreme Court for the — District, JOSEPH S. BUCHER.	X	For Justices of the Supreme Court for the — District, WILLIAM E. RILEY.	For Just Court fo
X	JOHN W. LASHER.		IRA WILLIAMS.	
	For Judges of the City Court, LESTER COLWELL.	X	For Judges of the City Court, EDWARD L. BORST.	For Judg
X	MARTIN BLESSING.		ARTHUR K. FRIES.	
	For Sheriff, DANIEL McQUEEN.	X	For Sheriff, MATTHEW MURPHY.	
	For County Clerk, JOHN H. LEAVITT.	X	For County Clerk, JOHN L. WREDE.	For
X	For Register, GEORGE B. SEEGER.		For Register, WILLIAM R. SINNOTT.	I
	For District Attorney, JAMES C. MOORE.	X	For District Attorney, CLIFFORD BOESE.	For I
X	For President of the Borough of Manhattan, MICHAEL GRIFFIN.		For President of the Borough of Manhattan, AMBROSE SPENCER.	For Pres of
X	For Coroners, Borough of Manhattan, LEWIS N. WALLACE.		For Coroners, Borough of Manhattan, JOHN HANEY.	For C of
X	ROBERT BRIER.		GEORGE W. MURPHY.	
	ALBERT PALMER.	X	DIODATO VILLAMINO	
	PATRICK M. HIGGINS.	X	NICHOLAS J. FEIGERT.	
	For Councilmen for — District, JOHN P. EDWARD.	X	For Councilmen for — District, STEPHEN J. MEAGHER.	For Co
	JAMES SMITH, Jr.	X	PHILIP MORRISON.	
X	BENJAMIN WARD.		KUNO SCHOLZ.	
X	For Member of Assembly for the — Assembly District, OLIVER POMEROY.		For Member of Assembly for the — Assembly District, THOMAS MULVEY.	For Mem the —
	For Alderman for — District, JACOB REEDER.	X	For Alderman for — District, HARRY JETTER.	For

The *second* way to vote a *split* ticket, that is, for candidates of different parties, is illustrated above (see page 47).

NOTE.—For want of space several tickets have not been printed on the foregoing ticket of 1900, for instance, there were printed, in addition to the Republican and Democratic tickets, the Socialist Labor, Prohibition, and Social Democratic tickets.

K COLUMN.

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or the — District.

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For Sheriff,

County Clerk,

or Register,

District Attorney,

ident of the Borough
f Manhattan,

oroners, Borough
f Manhattan,

ouncilmen for —
District,

nber of Assembly for
- Assembly District,

lderman for —
District,

erent parties,

IS CAREFULLY.

pon which there shall be found any
mark made for the purpose of vot-
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oper title of the office with a pencil
ich is defaced or torn by the elector;
found any erasure of any printed
or of any name or mark written
d upon such ballot no vote for any
nted.

section 110, rule 9.)

D YOUR BALLOT.

ptom of the ballot up to the perfor-

sides to the center, or towards the
hen folded the face of each ballot
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ballot shall be visible, so the stub
oving any other part of the ballot,
of the face of the ballot below the
the ballot shall not be more than

w, section 104.)

EMPLOYEES TO VOTE.

at a general election held within
such election be entitled to absent
ployment in which he is then en-
d of *two hours*, while the polls of

is employer before the day of such
ce, and if thereupon two succes-
l be designated by the employer,
g such designated hours, or if the
ch notice makes no designation,
g any two consecutive hours while
on shall be made from the usual

salary or wages of such elector, and no other penalty shall be imposed upon him by his employer by reason of such absence. This section shall be deemed to include all employes of municipalities.

(Election Law, section 109.)

REFUSAL TO PERMIT EMPLOYEES TO ATTEND ELECTIONS.

A person or corporation who refuses to an employe entitled to vote at an election or town meeting the privilege of attending thereat, as provided by the election law, or subjects such employe to a penalty or reduction of wages because of the exercise of such privilege, is guilty of a misdemeanor.

(Section 41 f, Penal Code.)

INTIMIDATION OF EMPLOYEE.—3.

Being an employer, pays his employe the salary or wages due in "pay envelopes," upon which there is written or printed any political motto, device or argument containing threats, express or implied, intended or calculated to influence the political opinions or actions of such employes, or within ninety days of a general election puts or otherwise exhibits in the establishment or place where his employes are engaged in labor, any hand-bill or placard containing any threat, notice or information that if any particular ticket or candidate is elected or defeated, work in his place or establishment will cease, in whole or in part, his establishment be closed up, or the wages of his employes reduced, or other threats, express or implied, intended or calculated to influence the political opinions or actions of his employes, is guilty of a misdemeanor, and if a corporation, in addition forfeits its charter.

(Section 41 t, subd. 3, Penal Code.)

PASSPORTS.

Citizens of the United States visiting foreign countries are liable to serious inconvenience if unprovided with authentic proof of their national character. The best safeguard is a passport from the Department of State, Washington, D. C., certifying the bearer to be a citizen of the United States.

TO BE ISSUED TO CITIZENS ONLY.

No passport shall be granted or issued to or verified for any other person than citizens of the United States.

(Rev. Stats. U. S., Sec. 4076.)

WHO ARE CITIZENS ?

All persons born in the United States and subject to the jurisdiction thereof are citizens of the United States.

So are all children born out of the limits and jurisdiction of the United States whose fathers were at the time of their birth citizens thereof.

An alien woman, with certain exceptions, who marries a citizen of the United States, acquires his citizenship.

An alien, having complied with the requirements of law, may become a citizen by naturalization before a court having competent jurisdiction.

Minor children, resident in the United States, become citizens by the naturalization of their father.

The widow and minor children of an alien who dies after he has declared his intention of becoming a citizen of the United States and before he has secured naturalization are considered as citizens of the United States upon taking the oaths prescribed by law.

PROTECTION TO NATURALIZED CITIZENS IN FOREIGN COUNTRIES.

All naturalized citizens of the United States, while in foreign countries, are entitled to and shall receive from this Government the same protection of persons and property which is accorded to native-born citizens.

(Rev. Stats. U. S., Sec. 2000.)

RELEASE OF CITIZENS IMPRISONED BY FOREIGN GOVERNMENTS TO BE DEMANDED.

Whenever it is made known to the President that any citizen of the United States has been unjustly deprived of his liberty by or under the authority of any foreign government, it shall be the duty of the President forthwith to demand of that government the reasons of such imprisonment ; and if it appears to be wrongful and in violation of the rights of American citizenship, the President shall forthwith demand the release of such citizen, and if the release so demanded is unreasonably delayed or refused, the President shall use such means, not amounting to acts of war, as he may think necessary and proper to obtain or effectuate the release ; and all the facts and proceedings relative thereto shall as soon as practicable be communicated by the President to Congress.

(Rev. Stats. U. S., Sec. 2001.)

DECLARATION OF INDEPENDENCE.

In Congress, July 4th, 1776.

THE UNANIMOUS DECLARATION OF THE THIRTEEN UNITED STATES OF AMERICA.

When, in the course of human events, it becomes necessary for one people to dissolve the political bands which have connected them with another, and to assume, among the powers of the earth, the separate and equal station to which the laws of nature and of nature's God entitle them, a decent respect to the opinions of mankind requires that they should declare the causes which impel them to the separation.

We hold these truths to be self-evident—that all men are created equal ; that they are endowed by their Creator with certain unalienable rights ; that among these are life, liberty, and the pursuit of happiness. That, to secure these rights, governments are instituted among men, deriving their just powers from the consent of the governed ; that, whenever any form of government becomes destructive of these ends, it is the right of the people to alter or to abolish it, and to institute a new government, laying its foundation on such principles, and organizing its powers in such form, as to them shall seem most likely to effect their safety and happiness. Prudence, indeed, will dictate that governments long established should not be changed for light and transient causes ; and, accordingly, all experience hath shown that mankind are more disposed to suffer, while evils are sufferable, than to right themselves by abolishing the forms to which they are accustomed. But when a long train of abuses and usurpations, pursuing invariably the same object, evinces a design to reduce them under absolute despotism, it is their right, it is their duty, to throw off such government, and to provide new guards for their future security. Such has been the patient sufferance of these colonies, and such is now the necessity which constrains them to alter their former systems of government. The history of the present king of Great Britain is a history of repeated

injuries and usurpations, all having in direct object the establishment of an absolute tyranny over these States. To prove this, let facts be submitted to a candid world.

He has refused his assent to laws the most wholesome and necessary for the public good.

He has forbidden his governors to pass laws of immediate and pressing importance, unless suspended in their operation till his assent should be obtained ; and, when so suspended, he has utterly neglected to attend to them.

He has refused to pass other laws for the accommodation of large districts of people, unless those people would relinquish the right of representation in the legislature—a right inestimable to them, and formidable to tyrants only.

He has called together legislative bodies at places unusual, uncomfortable, and distant from the depository of their public records, for the sole purpose of fatiguing them into compliance with his measures.

He has dissolved representative houses repeatedly, for opposing, with manly firmness, his invasions on the rights of the people.

He has refused, for a long time after such dissolutions, to cause others to be elected ; whereby the legislative powers, incapable of annihilation, have returned to the people at large for their exercise ; the State remaining, in the mean time, exposed to all the danger of invasion from without, and convulsions within.

He has endeavored to prevent the population of these States ; for that purpose, obstructing the laws for naturalization of foreigners : refusing to pass others to encourage their migration hither, and raising the conditions of new appropriations of lands.

He has obstructed the administration of justice, by refusing his assent to laws for establishing judiciary powers.

He has made judges dependent on his will alone, for the tenure of their offices, and the amount and payment of their salaries.

He has erected a multitude of new offices, and sent hither swarms of officers to harass our people, and eat out their substance.

He has kept among us, in times of peace, standing armies, without the consent of our legislature.

He has affected to render the military independent of, and superior to, the civil power.

He has combined, with others, to subject us to a jurisdiction foreign to our constitution, and unacknowledged by our laws ; giving his assent to their acts of pretended legislation :

For quartering large bodies of armed troops among us :

For protecting them, by a mock trial, from punishment, for any murders which they should commit on the inhabitants of these States :

For cutting off our trade with all parts of the world :

For imposing taxes on us without our consent :

For depriving us, in many cases, of the benefits of trial by jury:

For transporting us beyond seas to be tried for pretended offenses :

For abolishing the freesystem of English laws in a neighboring province, establishing therein an arbitrary government, and enlarging its boundaries, so as to render it at once an example and fit instrument for introducing the same absolute rule into these colonies :

For taking away our charters, abolishing our most valuable laws, and altering, fundamentally, the powers of our governments :

For suspending our own legislatures, and declaring themselves invested with power to legislate for us in all cases whatsoever.

He has abdicated government here, by declaring us out of his protection and waging war against us.

He has plundered our seas, ravaged our coasts, burnt our towns, and destroyed the lives of our people.

He is, at this time, transporting large armies of foreign mercenaries to complete the works of death, desolation, and tyranny, already begun, with circumstances of cruelty and perfidy scarcely paralleled in the most barbarous ages, and totally unworthy the head of a civilized nation.

He has constrained our fellow-citizens, taken captive on the high seas, to bear arms against their country, to become the executioners of their friends and brethren, or to fall themselves by their hands.

He has excited domestic insurrections amongst us, and has endeavored to bring on the inhabitants of our frontiers, the merciless Indian savages, whose known rule of warfare is an undistinguished destruction, of all ages, sexes, and conditions.

In every stage of these oppressions, we have petitioned for redress, in the most humble terms ; our repeated petitions have been answered only by repeated injury. A prince, whose character is thus marked by every act which may define a tyrant, is unfit to be the ruler of a free people.

Nor have we been wanting in attention to our British brethren. We have warned them, from time to time, of attempts made by

their legislature to extend an unwarrantable jurisdiction over us. We have reminded them of the circumstances of our emigration and settlement here. We have appealed to their native justice and magnanimity, and we have conjured them, by the ties of our common kindred, to disavow these usurpations, which would inevitably interrupt our connections and correspondence. They, too, have been deaf to the voice of justice and consanguinity. We must, therefore, acquiesce in the necessity, which denounces our separation, and hold them, as we hold the rest of mankind, enemies in war, in peace, friends.

We, therefore, the representatives of the UNITED STATES OF AMERICA, in general Congress assembled, appealing to the Supreme Judge of the World for the rectitude of our intentions, do, in the name, and by the authority of the good people of these colonies, solemnly publish and declare, that these United Colonies are, and of right ought to be, *free and independent States*; that they are absolved from all allegiance to the British crown, and that all political connection between them and the state of Great Britain is, and ought to be, totally dissolved; and that, as free and independent States, they have full power to levy war, conclude peace, contract alliances, establish commerce, and to do all other acts and things which independent States may of right do. And, for the support of this declaration, with a firm reliance on the protection of Divine Providence, we mutually pledge to each other, our lives, our fortunes, and our sacred honor.

The foregoing Declaration was, by order of Congress, engrossed, and signed by the following members :

JOHN HANCOCK.

New Hampshire.

JOSIAH BARTLETT,
WILLIAM WHIPPLE,
MATTHEW THORNTON.

Massachusetts Bay.

SAMUEL ADAMS,
JOHN ADAMS,
ROBERT TREAT PAINE
ELBRIDGE GERRY.

Rhode Island, Etc.

STEPHEN HOPKINS.
WILLIAM ELLERY.

Connecticut.

ROGER SHERMAN,
SAMUEL HUNTINGTON,
WILLIAM WILLIAMS,
OLIVER WOLCOTT.

New York.

WILLIAM FLOYD,
PHILIP LIVINGSTON,
FRANCIS LEWIS,
LEWIS MORRIS.

New Jersey.

RICHARD STOCKTON,
JOHN WHITERSPOON,
FRANCIS HOPKINSON,
JOHN HART,
ABRAHAM CLARK.

Pennsylvania.

ROBERT MORRIS,
BENJAMIN RUSH,
BENJAMIN FRANKLIN,
JOHN MORTON,
GEORGE CLYMER,
JAMES SMITH,
GEORGE TAYLOR,
JAMES WILSON,
GEORGE ROSS.

Delaware.

CÆSAR RODNEY,
GEORGE READ,
THOMAS M'KEAN.

Maryland.

SAMUEL CHASE,
WILLIAM PACA,
THOMAS STONE,
CHARLES CARROLL, of Carrollton.

Virginia.

GEORGE WYTHE,
RICHARD HENRY LEE,
THOMAS JEFFERSON,
BENJAMIN HARRISON,
THOMAS NELSON, JR.,
FRANCIS LIGHTFOOT LEE,
CARTER BRAXTON.

North Carolina.

WILLIAM HOOPER,
JOSEPH HEWES,
JOHN PENN.

South Carolina.

EDWARD RUTLEDGE,
THOMAS HEYWARD, JR.,
THOMAS LYNCH, JR.,
ARTHUR MIDDLETON.

Georgia.

BUTTON GWINNETT,
LYMAN HALL,
GEORGE WALTON.

THE
CONSTITUTION
OF THE
UNITED STATES OF AMERICA.*)

For what ob-
jects was the
Constitution
adopted?

WE, the people of the United States, in order to form a more perfect Union, establish justice, insure domestic tranquility, provide for the common defence, promote the general welfare, and secure the blessings of liberty to ourselves and our posterity, do ordain and establish this CONSTITUTION for the United States of America.

ARTICLE I.

What body
makes laws for
the United
States?
Of what does
Congress
consist?

SECTION I. All legislative powers herein granted shall be vested in a Congress of the United States, which shall consist of a Senate and House of Representatives.

How often are
representatives
chosen, and by
whom?

SECTION II. 1. The House of Representatives shall be composed of members chosen every second year by the people of the several States, and the electors in each State shall have the qualifications requisite for electors of the most numerous branch of the State Legislature.

Who can be a
representative?

2. No person shall be a Representative who shall not have attained to the age of twenty-five years, and been seven years a citizen of the United States, and who shall not, when elected, be an inhabitant of that State in which he shall be chosen.

*) The Constitution of the United States was made by delegates appointed by the Legislatures of the several States, except Rhode Island. In pursuance of a recommendation of the Continental Congress, the delegates met in convention at Philadelphia on May 14, 1787, and George Washington was unanimously chosen to preside. The Constitution was adopted by the convention September 17, 1787, and, after ratification by eleven of the States at conventions held therein, went into operation March 4, 1789. North Carolina ratified November 21, 1789, and Rhode Island did not enter the Union until May 29, 1790. The following shows the dates of ratification by conventions held in the several States:

Delaware	December 7, 1787	South Carolina	May 23, 1788
Pennsylvania	December 12, 1787	New Hampshire	June 21, 1788
New Jersey	December 18, 1787	Virginia	June 26, 1788
Georgia	January 2, 1788	New York	July 26, 1788
Connecticut	January 9, 1788	North Carolina	November 21, 1789
Massachusetts	February 6, 1788	Rhode Island	May 29, 1790
Maryland	April 28, 1788		

3. *) [Representatives and direct taxes shall be apportioned among the several States which may be included within this Union according to their respective numbers, which shall be determined by adding to the whole number of free persons, including those bound to service for a term of years, and excluding Indians not taxed, three-fifths of all other persons.] †) The actual enumeration shall be made within three years after the first meeting of the Congress of the United States, and within every subsequent term of ten years, in such manner as they shall by law direct. The number of Representatives shall not exceed one for every thirty thousand, but each State shall have at least one Representative ; and until such enumeration shall be made, the State of New Hampshire shall be entitled to choose 3 ; Massachusetts, 8 ; Rhode Island and Providence Plantations, 1 ; Connecticut, 5 ; New York, 6 ; New Jersey, 4 ; Pennsylvania, 8 ; Delaware, 1 ; Maryland, 6 ; Virginia, 10 ; North Carolina, 5 ; South Carolina, 5 ; and Georgia, 3.

4. When vacancies happen in the representation from any State, the Executive Authority thereof shall issue writs of election to fill such vacancies.

5. The House of Representatives shall choose their Speaker and other officers, and shall have the sole power of impeachment.

SECTION III. 1. The Senate of the United States shall be composed of two Senators from each State, chosen by the Legislature thereof, for six years ; and each Senator shall have one vote.

2. Immediately after they shall be assembled in consequence of the first election, they shall be divided as equally as may be into three classes. The seats of the Senators of the first class shall be vacated at the expiration of the second year, of the second class at the expiration of the fourth year, and of the third class at the expiration of the sixth year, so that one-third may be chosen every second year ; and if vacancies happen by resignation, or

How are vacancies in the House filled?

Who elects the Speaker?

What body has sole power of impeachment?

How many Senators are there from each State?

By whom and for how long are they chosen?

Classification of Senators.

Who has power to fill vacancies which happen in the United States Senate during the recess of the Legislature of any State?

*) The clause included in brackets is amended by the 14th amendment, 2nd section, page 75.

†) The first meeting of the Congress, created by the new Constitution, was held in New York City 1789. The first enumeration (or census) was taken in 1790, and under it the apportionment of representatives was one for every 33,000 persons. The census is taken every ten years, and thereafter the Congress allots the number of representatives for each State according to population, leaving the legislature to divide the State into the number of congressional districts to which it is entitled. By the census of 1890 the apportionment of representatives was one for every 173,901 persons. The State of New York has thirty-four members in the House of Representatives.

(See note to XIVth amendment, subd. 2, page 75.)

otherwise, during the recess of the Legislature of any State, the Executive thereof may make temporary appointment until the next meeting of the Legislature, which shall then fill such vacancies.

Who can be a Senator?

3. No person shall be a Senator who shall not have attained to the age of thirty years, and been nine years a citizen of the United States, and who shall not, when elected, be an inhabitant of that State for which he shall be chosen.

Who is President of the Senate, and when can he vote?

4. The Vice-President of the United States shall be President of the Senate, but shall have no vote unless they be equally divided.

When and by whom are the officers and President *pro tempore* chosen?

5. The Senate shall choose their other officers, and also a President *pro tempore*, in the absence of the Vice-President, or when he shall exercise the office of President of the United States.

What body tries all impeachments? Who presides when President is tried? What number can convict?

6. The Senate shall have the sole power to try all impeachments. When sitting for that purpose, they shall be on oath or affirmation. When the President of the United States is tried, the Chief Justice shall preside; and no person shall be convicted without the concurrence of two-thirds of the members present.

What are the penalties on conviction?

7. Judgment in cases of impeachment shall not extend further than to removal from office, and disqualification to hold and enjoy any office of honor, trust, or profit under the United States; but the party convicted shall nevertheless be liable and subject to indictment, trial, judgment, and punishment, according to law.

What body prescribes the time, place and manner of holding elections for Senators and Representatives?

SECTION IV. 1. The times, places, and manner of holding elections for Senators and Representatives shall be prescribed in each State by the Legislature thereof; but the Congress may at any time by law make or alter such regulations,*) except as to the places of choosing Senators.

How often must Congress assemble, and when?

2. The Congress shall assemble at least once in every year, and such meeting shall be on the first Monday in December, unless they shall by law appoint a different day.

*) In accordance with this provision the Congress made the following regulations respecting the election of Senators: The Legislature of each State, which is chosen next preceding the expiration of a Senator's term of office, shall on the second Tuesday after the meeting and organization thereof proceed to elect the next Senator. The person who receives a majority of the votes cast in each House of the Legislature is thereby duly elected United States Senator. If no person receives such a majority, or if either House fails to act in the matter, both Houses meet in joint assembly, and the candidate who receives a majority of all the votes of the joint assembly, a majority of all the members elected to both Houses being present and voting, is thereby duly elected. If no person receives such majority on the first day, the joint assembly meets each succeeding day during the session of the Legislature, and takes at least one vote, until a Senator is elected.

(See also art. 1, sec. 3, subds. 2 and 3.)

SECTION V. 1. Each House shall be the judge of the elections, returns, and qualifications of its own members, and a majority of each shall constitute a quorum to do business ; but a smaller number may adjourn from day to day, and may be authorized to compel the attendance of absent members in such manner and under such penalties as each House may provide.

2. Each House may determine the rules of its proceedings, punish its members for disorderly behavior, and, with the concurrence of two-thirds, expel a member.

3. Each House shall keep a journal of its proceedings, and from time to time publish the same, excepting such parts as may in their judgment require secrecy ; and the yeas and nays of the members of either House on any question shall, at the desire of one-fifth of those present, be entered on the journal.

4. Neither House, during the session of Congress, shall, without the consent of the other, adjourn for more than three days, nor to any other place than that in which the two Houses shall be sitting.

SECTION VI. 1.*) The Senators and Representatives shall receive a compensation for their services, to be ascertained by law, and paid out of the Treasury of the United States. They shall in all cases, except treason, felony, and breach of the peace, be privileged from arrest during their attendance at the session of their respective Houses, and in going to and returning from the same ; and for any speech or debate in either House they shall not be questioned in any other place.

2. No Senator or Representative shall, during the time for which he was elected, be appointed to any civil office under the authority of the United States which shall have been created, or the emoluments whereof shall have been increased, during such time ; and no person holding any office under the United States shall be a member of either House during his continuance in office.

SECTION VII. 1. All bills for raising revenue shall originate in the House of Representatives, but the Senate may propose or concur with amendments, as on other bills.

2. Every bill which shall have passed the House of Representatives and the Senate shall, before it become a law, be presented to the President of the United States ; if he approve, he shall sign it ; but if not, he shall return it, with his objections, to that House

Of what is each House the judge?

What number constitutes a quorum for business?

What power has a number less than a quorum?

Rules.

What number can expel a member?

Journal of proceedings.

Adjournment.

Compensation of Senators and Representatives.

When are they exempt from arrest?

Can a Senator or Representative during the time for which he was elected hold another office?

In which House do bills for raising revenue originate?

Name the three ways in which a bill that has passed the House of Representatives and Senate may become a law.

*) Each Senator and Representative receives a salary of \$5,000 a year.

in which it shall have originated, who shall enter the objections at large on their journal, and proceed to reconsider it. If after such reconsideration two-thirds of that House shall agree to pass the bill, it shall be sent, together with the objections, to the other House, by which it shall likewise be reconsidered; and if approved by two-thirds of that House, it shall become a law. But in all such cases the votes of both Houses shall be determined by yeas and nays, and the names of the persons voting for and against the bill shall be entered on the journal of each House respectively. If any bill shall not be returned by the President within ten days (Sundays excepted) after it shall have been presented to him, the same shall be a law in like manner as if he had signed it, unless the Congress by their adjournment prevent its return; in which case it shall not be a law.

3. Every order, resolution, or vote to which the concurrence of the Senate and House of Representatives may be necessary (except on a question of adjournment) shall be presented to the President of the United States; and before the same shall take effect shall be approved by him, or being disapproved by him, shall be repassed by two-thirds of the Senate and the House of Representatives, according to the rules and limitations prescribed in the case of a bill.

SECTION VIII. 1. The Congress shall have power :

To lay and collect taxes, duties, imposts, and excises, to pay the debts and provide for the common defence and general welfare of the United States; but all duties, imposts, and excises shall be uniform throughout the United States.

2. To borrow money on the credit of the United States.

3. To regulate commerce with foreign nations, and among the several States, and with the Indian tribes.

4. To establish an uniform rule of naturalization and uniform laws on the subject of bankruptcies throughout the United States.

5. To coin money, regulate the value thereof, and of foreign coin, and fix the standard of weights and measures.

6. To provide for the punishment of counterfeiting the securities and current coin of the United States.

7. To establish post-offices and post-roads.

8. To promote the progress of science and useful arts by securing for limited times to authors and inventors the exclusive rights to their respective writings and discoveries.

9. To constitute tribunals inferior to the Supreme Court.

10. To define and punish piracies and felonies committed on the high seas, and offences against the law of nations.

What orders, resolutions and votes must be presented to the President?

What power has Congress as to the debts of the United States, borrowing money, naturalization laws, etc., etc.?

11. To declare war, grant letters of marque and reprisal,*) and make rules concerning captures on land and water.

12. To raise and support armies, but no appropriation of money to that use shall be for a longer term than two years.

13. To provide and maintain a navy.

14. To make rules for the government and regulation of the land and naval forces.

15. To provide for calling forth the militia to execute the laws of the Union, suppress insurrections, and repel invasions.

16. To provide for organizing, arming, and disciplining the militia, and for governing such part of them as may be employed in the service of the United States, reserving to the States respectively the appointment of the officers, and the authority of training the militia according to the discipline prescribed by Congress.

17. To exercise exclusive legislation in all cases whatsoever over such district (not exceeding ten miles square) as may, by cession of particular States and the acceptance of Congress, become the seat of Government of the United States, and to exercise like authority over all places purchased by the consent of the Legislature of the State in which the same shall be, for the erection of forts, magazines, arsenals, dock-yards, and other needful buildings. And

18. To make all laws which shall be necessary and proper for carrying into execution the foregoing powers, and all other powers vested by this Constitution in the Government of the United States, or in any department, or officer thereof.

SECTION IX. 1. The migration or importation of such persons as any of the States now existing shall think proper to admit shall not be prohibited by the Congress prior to the year one thousand eight hundred and eight, but a tax or duty may be imposed on such importation, not exceeding ten dollars for each person. †)

2. The privilege of the writ of habeas corpus ‡) shall not be suspended, unless when in cases of rebellion or invasion the public safety may require it.

What power has Congress as to declaration of war, the army, the navy, etc., etc.?

When is writ of habeas corpus suspended?

*) Letters of marque and reprisal are a commission to private persons who own and officer a private armed vessel, called a privateer, and authorize the plundering of the enemy's commerce.

†) This provision prevented the Congress from prohibiting the importation of slaves prior to 1808. (See the XIIIth Amendment, which abolished slavery.)

‡) The writ of *habeas corpus* compels the production in court of one restrained of his liberty for the purpose of inquiring into the legality of the restraint.

How only can
capitation or
other direct
tax be laid ?

Can articles
exported from
any State be
taxed ?

Describe the
rights and
privileges of
vessels and
ports of the
several States.

How are
moneys drawn
from the
Treasury, and
when are
statements
made ?

Can titles of
nobility be
granted by the
United States ?
When can per-
sons holding
office accept
presents from
foreign powers ?

What powers
are denied to
the States ?

What powers
are denied to
individual
States, unless
they have the
consent of the
Congress ?

3. No bill of attainder *) or *ex-post facto* †) law shall be passed.

4. No capitation or other direct tax shall be laid, unless in proportion to the census or enumeration hereinbefore directed to be taken.

5. No tax or duty shall be laid on articles exported from any State.

6. No preference shall be given by any regulation of commerce or revenue to the ports of one State over those of another, nor shall vessels bound to or from one State be obliged to enter, clear, or pay duties in another.

7. No money shall be drawn from the Treasury but in consequence of appropriations made by law ; and a regular statement and account of the receipts and expenditures of all public money shall be published from time to time.

8. No title of nobility shall be granted by the United States. And no person holding any office of profit or trust under them shall, without the consent of the Congress, accept of any present, emolument, office, or title of any kind whatever from any king, prince, or foreign state.

SECTION X. 1. No State shall enter into any treaty, alliance, or confederation, grant letters of marque and reprisal, coin money, emit bills of credit, make anything but gold and silver coin a tender in payment of debts, pass any bill of attainder, *ex-post facto* law, or law impairing the obligation of contracts, or grant any title of nobility.

2. No State shall, without the consent of the Congress, lay any impost or duties on imports or exports, except what may be absolutely necessary for executing its inspection laws ; and the net produce of all duties and imposts, laid by any State on imports or exports, shall be for the use of the Treasury of the United States ; and all such laws shall be subject to the revision and control of the Congress.

*) A bill of attainder is a law forfeiting the real and personal property of the person against whom it is directed ; rendering him incapable of performing the duties, or enjoying the privileges of a free citizen ; and effecting "corruption of blood," so that he cannot inherit property or transmit it to heirs. (Such bills have been passed by the English Parliament.)

†) An *ex-post facto* law makes an act done before its passage criminal, and punishes for the act ; or aggravates a crime, or the punishment therefor, making it greater than it was when the act was done ; or changes the rules of evidence, so that the offender may be convicted on less or different testimony from what the law required when the offence was committed.

3. No State shall, without the consent of Congress, lay any duty of tonnage, keep troops or ships of war in time of peace, enter into any agreement or compact with another State, or with a foreign power, or engage in war, unless actually invaded, or in such imminent danger as will not admit of delay.

ARTICLE II.

SECTION I. 1. The executive power shall be vested in a President of the United States of America. He shall hold his office during the term of four years, and, together with the Vice-President, chosen for the same term, be elected as follows :

In whom is the executive power vested?
How long do the President and Vice-President hold office?

2. *) Each State shall appoint, in such manner as the Legislature thereof may direct, a number of electors, equal to the whole number of Senators and Representatives to which the State may be entitled in the Congress ; but no Senator or Representative or person holding an office of trust or profit under the United States shall be appointed an elector.

How many electors is each State entitled to?

Who cannot be an elector?

3. †) [The electors shall meet in their respective States and vote by ballot for two persons, of whom one at least shall not be an inhabitant of the same State with themselves. And they shall make a list of all the persons voted for, and of the number of votes for each, which list they shall sign and certify and transmit, sealed, to the seat of the government of the United States, directed to the President of the Senate. The President of the Senate shall, in the presence of the Senate and House of Representatives, open all the certificates, and the votes shall then be counted. The person having the greatest number of votes shall be the President, if such number be a majority of the whole number of electors appointed, and if there be more than one who have such majority, and have an equal number of votes, then the House of Representatives shall immediately choose by ballot one of them for President; and if no person have a majority, then from the five highest on the list the said House shall in like manner choose the President. But in choosing the President, the vote shall be taken by States, the representation from each State having one vote. A quorum, for this purpose, shall consist of a member or members from two-thirds of the States, and a majority of all the States shall be necessary to a choice. In every case, after the choice of the President, the person having the greatest number of votes of the electors shall be the Vice-President. But if there should remain two or more who have equal votes, the Senate shall choose from them by ballot the Vice-President.]

*) The State of New York, having two Senators and thirty-four members in the House of Representatives, has *thirty-six* presidential electors.

†) This clause [within brackets] has been superseded by the XIIth amendment, page 74.

Can Congress determine the time of choosing electors and the day on which they shall vote?

Who is eligible for President?

Who acts as President in case of the removal, death, resignation, or disability of the President?

Salary of the President.

Oath of the President.

4. *) The Congress may determine the time of choosing the electors and the day on which they shall give their votes, which day shall be the same throughout the United States.

5. No person, except a natural born citizen, or a citizen of the United States at the time of the adoption of this Constitution, shall be eligible to the office of President; neither shall any person be eligible to that office who shall not have attained to the age of thirty-five years and been fourteen years a resident within the United States.

6. †) In case of the removal of the President from office, or of his death, resignation, or inability to discharge the powers and duties of the said office, the same shall devolve on the Vice-President, and the Congress may by law provide for the case of removal, death, resignation, or inability, both of the President and Vice-President, declaring what officer shall then act as President, and such officer shall act accordingly until the disability be removed or a President shall be elected.

7. ‡) The President shall, at stated times, receive for his services a compensation, which shall neither be increased nor diminished during the period for which he shall have been elected, and he shall not receive within that period any other emolument from the United States, or any of them.

8. Before he enter on the execution of his office he shall take the following oath or affirmation :

“I do solemnly swear (or affirm) that I will faithfully execute the office of President of the United States, and will, to the best of my ability, preserve, protect, and defend the Constitution of the United States.”

*) The electors are chosen by the qualified voters in each State on the Tuesday next after the first Monday in November, in every fourth year preceding the expiration of a presidential term of office.

(See note after XIIIth amendment, page 74.)

†) In 1792 the Congress passed a law providing that the president of the Senate, or if there were none, then the Speaker of the House of Representatives for the time being should act as President in case of the removal, death, resignation, or inability of both the President and the Vice-President. But that law was repealed in 1886; so that now, in such a case, the Secretary of State would follow the Vice-President, and after the Secretary of State the other officers of the Cabinet in the order of their rank. But it must be remembered, in this connection, that to be eligible for the presidency one must be a natural born citizen and possess the other qualifications prescribed by art. II. sec. 1, subd. 5.

‡) The President's salary is \$50,000 a year, and he has the use of the executive mansion.

SECTION II. 1. The President shall be Commander-in-Chief of the Army and Navy of the United States and of the militia of the several States, when called into the actual service of the United States; he may require the opinion, in writing, of the principal officer in each of the executive departments upon any subject relating to the duties of their respective offices, and he shall have power to grant reprieves and pardons for offences against the United States, except in cases of impeachment.

Who is Commander-in-Chief of the Army and Navy of the United States?

What power has he in regard to reprieves and pardons?

2. He shall have power, by and with the advice and consent of the Senate, to make treaties, provided two-thirds of the Senators present concur; and he shall nominate, and by and with the advice and consent of the Senate shall appoint ambassadors, other public ministers and consuls, judges of the Supreme Court, and all other officers of the United States whose appointments are not herein otherwise provided for, and which shall be established by law; but the Congress may by law vest the appointment of such inferior officers as they think proper in the President alone, in the courts of law, or in the heads of departments.

How are treaties made by the United States?

How are ambassadors, consuls and judges of the Supreme Court appointed?

3. The President shall have power to fill up all vacancies that may happen during the recess of the Senate by granting commissions, which shall expire at the end of their next session.

How are vacancies occurring during the recess of the Senate filled?

SECTION III. He shall from time to time give to the Congress information of the state of the Union, and recommend to their consideration such measures as he shall judge necessary and expedient; he may, on extraordinary occasions, convene both Houses, or either of them, and in case of disagreement between them with respect to the time of adjournment, he may adjourn them to such time as he shall think proper; he shall receive ambassadors and other public ministers; he shall take care that the laws be faithfully executed, and shall commission all the officers of the United States.

What are the duties of the President?

SECTION IV. The President, Vice-President, and all civil officers of the United States shall be removed from office on impeachment for and conviction of treason, bribery, or other high crimes and misdemeanors.

How and for what crimes may the President and Vice-President and all civil officers be removed from office?

ARTICLE III.

SECTION I. *) The judicial power of the United States shall be vested in one Supreme Court, and in such inferior courts as

In what bodies is the judicial power of the United States vested?

*) The Supreme Court of the United States consists of a Chief Justice, whose salary is \$10,500; and eight Associate Justices, who receive a salary of \$10,000 each. By the authority given in this section, Congress established District Courts (of which there are now about 65) and Circuit Courts. There are nine judicial circuits. And by an act of 1891 Circuit Courts of Appeals have been established.

How long do the judges hold office?

the Congress may from time to time ordain and establish. The judges, both of the Supreme and inferior courts, shall hold their offices during good behavior, and shall at stated times receive for their services a compensation which shall not be diminished during their continuance in office.

To what cases does the judicial power of the United States extend?

SECTION II. 1. The judicial power shall extend to all cases in law and equity arising under this Constitution, the laws of the United States, and treaties made, or which shall be made, under their authority; to all cases affecting ambassadors, other public ministers, and consuls; to all cases of admiralty and maritime jurisdiction; to controversies to which the United States shall be a party; to controversies between two or more States, between a State and citizens of another State, between citizens of different States, between citizens of the same State claiming lands under grants of different States, and between a State, or the citizens thereof, and foreign States, citizens or subjects.

In what cases has the Supreme Court original jurisdiction?

In what, appellate jurisdiction?

2. In all cases affecting ambassadors, other public ministers, and consuls, and those in which a State shall be party, the Supreme Court shall have original jurisdiction. In all the other cases before-mentioned the Supreme Court shall have appellate jurisdiction both as to law and fact, with such exceptions and under such regulations as the Congress shall make.

Where and how are all crimes, except in cases of impeachment, to be tried?

3. The trial of all crimes, except in cases of impeachment, shall be by jury, and such trial shall be held in the State where the said crimes shall have been committed; but when not committed within any State, the trial shall be at such place or places as the Congress may by law have directed.

In what does treason against the United States consist?

What evidence is necessary to convict?

Who has power to declare the punishment for treason?

SECTION III. 1. Treason against the United States shall consist only in levying war against them, or in adhering to their enemies, giving them aid and comfort. No person shall be convicted of treason unless on the testimony of two witnesses to the same overt act, or on confession in open court.

2. The Congress shall have power to declare the punishment of treason, but no attainder of treason shall work corruption of blood or forfeiture except during the life of the person attained.

What important departments were created by the first three articles of the Constitution?

ARTICLE IV.

How are the public acts, etc., of each State to be treated by the other States?

SECTION I. Full faith and credit shall be given in each State to the public acts, records, and judicial proceedings of every other State. And the Congress may by general laws prescribe the man-

ner in which such acts, records, and proceedings shall be proved, and the effect thereof.

SECTION II. 1. The citizens of each State shall be entitled to all privileges and immunities of citizens in the several States.

What rights have citizens of each State?

2. A person charged in any State with treason, felony, or other crime, who shall flee from justice, and be found in another State, shall, on demand of the executive authority of the State from which he fled, be delivered up, to be removed to the State having jurisdiction of the crime.

What power has the executive authority of any State over persons charged with crime and who flee from justice, and are found in another State?

3. No person held to service or labor in one State, under the laws thereof, escaping into another shall, in consequence of any law or regulation therein, be discharged from such service or labor, but shall be delivered up on claim of the party to whom such service or labor may be due.

Annulled by XIIIth amendment.

SECTION III. 1. New States may be admitted by the Congress into this Union ; but no new State shall be formed or erected within the jurisdiction of any other State, nor any State be formed by the junction of two or more States, or parts of States, without the consent of the Legislatures of the States concerned, as well as of the Congress.

What body may admit new States into the Union?

2. The Congress shall have power to dispose of and make all needful rules and regulations respecting the territory or other property belonging to the United States ; and nothing in this Constitution shall be so construed as to prejudice any claims of the United States, or of any particular State.

When is consent of State necessary?

What power has Congress respecting the territory or other property of the United States?

SECTION IV. The United States shall guarantee to every State in this Union a republican form of government, and shall protect each of them against invasion, and, on application of the Legislature, or of the Executive (when the Legislature cannot be convened), against domestic violence,

What does the United States guarantee to every State in the Union?

ARTICLE V.

The Congress, whenever two-thirds of both Houses shall deem it necessary, shall propose amendments to this Constitution, or, on the application of the Legislatures of two-thirds of the several States, shall call a convention for proposing amendments, which, in either case, shall be valid to all intents and purposes, as part of this Constitution, when ratified by the Legislatures of three-fourths of the several States, or by conventions in three-fourths thereof, as the one or the other mode of ratification may be proposed by the Congress ; provided that no amendment which may be made prior to the year one thousand eight hundred and eight shall in

In what two ways may amendments to the Constitution be proposed?

In what two ways may they be ratified?

Can any State without its consent be deprived of its equal suffrage in the Senate?

any manner affect the first and fourth clauses in the Ninth Section of the First Article ; and that no State, without its consent, shall be deprived of its equal suffrage in the Senate.

ARTICLE VI.

What debts were assumed by the United States under this Constitution?

1. All debts contracted and engagements entered into before the adoption of this Constitution shall be as valid against the United States under this Constitution as under the Confederation.

What is the supreme law of the land?

2. 'This Constitution and the laws of the United States which shall be made in pursuance thereof and all treaties made, or which shall be made, under the authority of the United States, shall be the supreme law of the land ; and the judges in every State shall be bound thereby, anything in the Constitution or laws of any State to the contrary notwithstanding.

Who are required to take oath or affirmation to support the Constitution?

3. The Senators and Representatives before mentioned, and the members of the several State Legislatures, and all executive and judicial officers, both of the United States and of the several States, shall be bound by oath or affirmation to support this Constitution ; but no religious test shall ever be required as a qualification to any office or public trust under the United States.

Is a religious test required as a qualification to hold office?

ARTICLE VII.

How many States were necessary to ratify the Constitution?

The ratification of the Conventions of nine States shall be sufficient for the establishment of this Constitution between the States so ratifying the same.

When was it adopted?

Done in convention by the unanimous consent of the States present, the seventeenth day of September, in the year of our Lord one thousand seven hundred and eighty-seven, and of the Independence of the United States of America the twelfth. In witness whereof we have hereunto subscribed our names.

GEORGE WASHINGTON,

President, and Deputy from Virginia.

New Hampshire.—JOHN LANGDON, NICHOLAS GILMAN.

Massachusetts.—NATHANIEL GORHAM, RUFUS KING.

Connecticut.—WM. SAML. JOHNSON, ROGER SHERMAN.

New York.—ALEXANDER HAMILTON.

New Jersey.—WIL. LIVINGSTON, WM. PATERSON, DAVID BREARLEY, JONA DAYTON.

Pennsylvania.—B. FRANKLIN, ROBT. MORRIS, THO. FITZSIMONS, JAMES WILSON, THOMAS MIFFLIN, GEO. CLYMER, JARED INGERSOLL, GOUV. MORRIS.

Delaware.—GEO. READ, JOHN DICKINSON, JACO. BROOM, GUNNING BEDFORD, JUN'R, RICHARD BASSETT.

Maryland.—JAMES MCHENRY, DANL. CARROLL, DAN. OF ST. THOS. JENIFER.

Virginia.—JOHN BLAIR, JAMES MADISON, JR.

North Carolina.—WM. BLOUNT, HU. WILLIAMSON, RICH'D DOBBS SPAIGHT.

South Carolina.—J. RUTLEDGE, CHARLES PINCKNEY, CHAS. COTESWORTH PINCKNEY, PIERCE BUTLER.

Georgia.—WM. FEW, ABR. BALDWIN.

Attest :

WILLIAM JACKSON,

Secretary.

ARTICLES

IN ADDITION TO, AND AMENDMENT OF,

The Constitution of the United States of America,

*Proposed by Congress, and ratified by the Legislatures of the several States,
pursuant to the fifth article of the original Constitution.*

ARTICLE I.*)

What laws is
the Congress
forbidden to
pass?

Congress shall make no law respecting an establishment of religion, or prohibiting the free exercise thereof; or abridging the freedom of speech or of the press; or the right of the people peaceably to assemble, and to petition the Government for a redress of grievances.

ARTICLE II.

May the right
to bear arms be
infringed?

A well-regulated militia being necessary to the security of a free State, the right of the people to keep and bear arms shall not be infringed.

ARTICLE III.

Quartering
soldiers.

No soldier shall, in time of peace, be quartered in any house without the consent of the owner, nor in time of war but in a manner to be prescribed by law.

ARTICLE IV.

Unreasonable
searches and
warrants.

The right of the people to be secure in their persons, houses, papers, and effects, against unreasonable searches and seizures, shall not be violated, and no warrants shall issue but upon probable cause, supported by oath or affirmation, and particularly describing the place to be searched, and the persons or things to be seized.

ARTICLE V.

How only can a
person be held
to answer for a
capital or other
infamous
crime?

Can a person
be put in jeo-
pardy twice for
the same
offence?

No person shall be held to answer for a capital or other infamous crime unless on a presentment or indictment of a grand jury, except in cases arising in the land or naval forces, or in the militia, when in actual service, in time of war or public danger; nor shall any person be subject for the same offence to be twice put in

*) The first ten amendments were proposed to the Legislatures of the several States by the First Congress in 1789, and declared adopted in 1791.

jeopardy of life or limb ; nor shall be compelled in any criminal case to be a witness against himself, nor be deprived of life, liberty, or property, without due process of law; nor shall private property be taken for public use without just compensation.

Can one charged with crime be compelled to testify against himself?

What guaranty is there as to life, liberty and property?

ARTICLE VI.

In all criminal prosecutions, the accused shall enjoy the right to a speedy and public trial, by an impartial jury of the State and district wherein the crime shall have been committed, which district shall have been previously ascertained by law, and to be informed of the nature and cause of the accusation ; to be confronted with the witnesses against him ; to have compulsory process for obtaining witnesses in his favor, and to have the assistance of counsel for his defence.

In every criminal prosecution what important rights are secured to the accused?

ARTICLE VII.

In suits at common law, where the value in controversy shall exceed twenty dollars, the right of trial by jury shall be preserved, and no fact tried by a jury shall be otherwise re-examined in any court of the United States than according to the rules of the common law.

When must the right of trial by jury be preserved?

How alone can a fact tried by a jury be re-examined?

ARTICLE VIII.

Excessive bail shall not be required, nor excessive fines imposed, nor cruel and unusual punishments inflicted.

Can excessive bail be required or unusual punishment inflicted on any one?

ARTICLE IX.

The enumeration in the Constitution of certain rights shall not be construed to deny or disparage others retained by the people.

How is the enumeration in the Constitution of certain rights not to be construed?

ARTICLE X.

The powers not delegated to the United States by the Constitution, nor prohibited by it to the States, are reserved to the States respectively, or to the people.

What powers are reserved by the States, or to the people?

ARTICLE XI.*)

The judicial power of the United States shall not be construed to extend to any suit in law or equity, commenced or prosecuted against one of the United States, by citizens of another State, or by citizens or subjects of any foreign State.

What limitation is placed on the judicial power of the United States?

*) This amendment was proposed to the Legislatures of the several States by the Third Congress in 1794, and declared adopted in 1798.

ARTICLE XII.*)

How are the President and Vice-President elected?

If no person has a majority of the whole number of electors, how is the President chosen?

What is the procedure in choosing a President by the House of Representatives?

If the House of Representatives, where the selection devolves upon them, does not choose a President before March 4th, who acts as President?

How is the Vice-President chosen, if no person has a majority of the whole number of electors?

The electors shall meet in their respective States, and vote by ballot for President and Vice-President, one of whom at least shall not be an inhabitant of the same State with themselves; they shall name in their ballots the person voted for as President, and in distinct ballots the person voted for as Vice-President; and they shall make distinct lists of all persons voted for as President, and of all persons voted for as Vice-President, and of the number of votes for each, which list they shall sign and certify, and transmit, sealed, to the seat of the government of the United States, directed to the President of the Senate; the President of the Senate shall, in the presence of the Senate and House of Representatives, open all the certificates, and the votes shall then be counted; the person having the greatest number of votes for President shall be the President, if such number be a majority of the whole number of electors appointed; and if no person have such majority, then from the persons having the highest numbers not exceeding three, on the list of those voted for as President, the House of Representatives shall choose immediately by ballot, the President. But in choosing the President, the votes shall be taken by States, the representation from each State having one vote; a quorum for this purpose shall consist of a member or members from two-thirds of the States, and a majority of all the States shall be necessary to a choice. And if the House of Representatives shall not choose a President, whenever the right of choice shall devolve upon them, before the fourth day of March next following, then the Vice-President shall act as President, as in the case of the death or other constitutional disability of the President. The person having the greatest number of votes as Vice-President shall be the Vice-President, if such number be a majority of the whole number of electors appointed, and if no person have a majority, then from the two highest numbers on the list the Senate shall choose the Vice-President; a quorum for the purpose shall consist of two-thirds of the whole number of Senators, and a majority of the whole number shall be necessary to a choice. But no person constitutionally ineligible to the office of President shall be eligible to that of Vice-President of the United States †)

*) This amendment was proposed to the Legislatures of the several States by the Eighth Congress in 1803, and declared adopted in 1804.

†) The electors for each State meet and give their votes upon the second Monday in January next following their election, at such place in each State as the Legislature thereof directs. They send to the seat of government certificates of the votes given by them for President and Vice-President; and on the following second Wednesday in February the certificates are opened in Congress, the votes counted, and the persons elected to fill the offices of President and Vice-President declared.

ARTICLE XIII.*)

1. Neither slavery nor involuntary servitude, except as a punishment for crime whereof the party shall have been duly convicted, shall exist within the United States, or any place subject to their jurisdiction.

2. Congress shall have power to enforce this article by appropriate legislation.

Is slavery allowed to exist in the United States?

ARTICLE XIV.†)

1. All persons born or naturalized in the United States, and subject to the jurisdiction thereof, are citizens of the United States and of the State wherein they reside. No State shall make or enforce any law which shall abridge the privileges or immunities of citizens of the United States; nor shall any State deprive any person of life, liberty, or property without due process of law, nor deny to any person within its jurisdiction the equal protection of the laws.

Who are citizens of the United States and of the States?

Can any State by law abridge the rights of citizens?

How are life, liberty or property protected?

2. ‡) Representatives shall be apportioned among the several States according to their respective numbers, counting the whole number of persons in each State, excluding Indians not taxed. But when the right to vote at any election for the choice of electors for President and Vice-President of the United States, Representatives in Congress, the executive and judicial officers of a State, or the members of the Legislature thereof, is denied to any of the male inhabitants of such State being twenty-one years of age, and citizens of the United States, or in any way abridged, except for participation in rebellion or other crime, the basis of representation therein shall be reduced in the proportion which the number of such male citizens shall bear to the whole number of male citizens twenty-one years of age in such State.

How are Representatives apportioned among the several States?

3. No person shall be a Senator or Representative in Congress, or elector of President and Vice-President, or hold any office, civil or military, under the United States, or under any State, who, having previously taken an oath, as a member of

Who are prohibited from holding any elective or appointive office under the United States?

*. This amendment was proposed to the Legislatures of the several States by the Thirty-eighth Congress in 1865, and declared adopted the same year.

†. This amendment was proposed to the Legislatures of the several States by the Thirty-ninth Congress in 1866, and declared adopted in 1868.

‡) At the present time (1901) the House of Representatives is composed of 357 members. Each organized Territory may elect a delegate to the House of Representatives, who has the right of debate, but cannot vote.

[See note to art. I, sec. 2, subd. 3, page 59]

Congress, or as an officer of the United States, or as a member of any State Legislature, or as an executive or judicial officer of any State, to support the Constitution of the United States, shall have engaged in insurrection or rebellion against the same, or given aid or comfort to the enemies thereof. But Congress may, by a vote of two-thirds of each House, remove such disability.

Can Congress remove such disability?

The validity of what public debts, authorized by law, incurred by the United States, shall not be questioned?

What debts, obligations, and claims are declared to be illegal and void?

4. The validity of the public debt of the United States, authorized by law, including debts incurred for payment of pensions and bounties for services in suppressing insurrection or rebellion, shall not be questioned. But neither the United States nor any State shall assume or pay any debt or obligation incurred in aid of insurrection or rebellion against the United States, or any claim for the loss or emancipation of any slave, but all such debts, obligations, and claims shall be held illegal and void.

5. The Congress shall have power to enforce by appropriate legislation the provisions of this article.

ARTICLE XV. *)

1. The right of citizens of the United States to vote shall not be denied or abridged by the United States, or by any State, on account of race, color, or previous condition of servitude.

2. The Congress shall have power to enforce this article by appropriate legislation.

Can the United States, or any State, deprive a citizen of his right to vote because of his race, color, or previous condition of servitude?

*) This amendment was proposed to the Legislatures of the several States by the Fortieth Congress in 1869, and declared ratified in 1870.

NEW YORK STATE GOVERNMENT.

LEGISLATURE.

The laws of the State of New York are made by the Legislature, composed of a Senate and Assembly, which begins its sessions every year on the first Wednesday of January at Albany, the capital of the State.

The Senate consists of *fifty* members who are elected for *two* years.

The Assembly consists of *one hundred and fifty* members who are elected for *one* year.

Each member of the legislature receives an annual salary of \$1,500.

EXECUTIVE. *

The Governor is the chief executive officer of the State, and is elected by the people for two years.

His salary is \$10,000 a year, with the use of a furnished executive residence.

The Lieutenant-Governor is the next highest officer, and is elected by the people at the same time and for the same term as the Governor. His salary is \$5,000 a year.

QUALIFICATIONS OF GOVERNOR AND LIEUTENANT-GOVERNOR.

No person is eligible to the office of Governor or Lieutenant-Governor, except a citizen of the United States, of the age of not less than thirty years, and who shall have been five years, next preceding his election, a resident of the State.

POWERS AND DUTIES OF THE GOVERNOR.

The Governor is the Commander-in-Chief of the military and naval forces of the State. He has power to convene the Legislature, or the Senate only, on extraordinary occasions. At extraordinary sessions no subject can be acted upon except such as he may recommend for consideration. He is required to communicate by message to the Legislature at every session the condition

Who makes the laws for the State?
What is the Legislature composed of?
When and where do they meet?
How many Senators are there?
Assemblymen?

Who is the chief executive officer of the State?
By whom elected?
Term of office.
Who is the next highest officer?
By whom elected?
Term of office.

Who is eligible for Governor and Lieutenant-Governor?

Who is Commander-in-Chief of the military and naval forces of the State?

Name some powers and duties of the Governor.

of the State, and recommend such matters to them as he shall judge expedient. He is also required to transact all necessary business with the officers of government, civil and military, and expedite all such measures as may be resolved upon by the Legislature, and take care that the laws are faithfully executed. The Governor has power to grant reprieves, commutations and pardons after conviction, for all offenses except treason, and cases of impeachment. He must annually communicate to the Legislature each case of reprieve, commutation or pardon granted.

WHEN LIEUTENANT-GOVERNOR ACTS AS GOVERNOR.

If the Governor is impeached or removed, who takes his place?

In case of the impeachment of the Governor, or his removal from office, death, inability to discharge the powers and duties of the said office, resignation or absence from the State, the powers and duties of the office devolve upon the Lieutenant-Governor for the residue of the term, or until the disability shall cease.

Who presides over the Senate?

The Lieutenant Governor is the president of the Senate, but has only a casting vote therein.

GOVERNORSHIP SUCCESSION.

If during a vacancy in the office of Governor the Lieutenant-Governor is impeached or displaced, who succeeds as Governor?

If during a vacancy of the office of Governor, the Lieutenant-Governor shall be impeached, displaced, resign, die or become incapable of performing the duties of his office, or be absent from the State, the president of the Senate shall act as Governor until the vacancy be filled or the disability shall cease; and if the president of the Senate, for any of the above causes, shall become incapable of performing the duties pertaining to the office of Governor, the Speaker of the Assembly shall act as Governor until the vacancy be filled, or the disability shall cease.

APPROVAL AND VETO POWER OF THE GOVERNOR.

Describe generally how a bill becomes a law.

Every bill which is passed by the Assembly and Senate must be presented to the Governor before it can become a law. If he approves the bill, he must sign it, but if not, he returns it to the House in which it originated, with his objections thereto. The bill may become a law notwithstanding the objections of the Governor, if both houses, after reconsidering it, pass it over his veto by a vote of two-thirds of the members elected for each House. If any bill is not returned by the Governor within ten days (Sundays excepted) after it has been presented to him, the same becomes a law in like manner as if he had signed it, unless the Legislature, by adjourning, prevents its return, in which case the bill must have the Governor's approval before it becomes a

law. No bill, after the final adjournment of the Legislature, can become a law if it is not approved by the Governor within thirty days after such adjournment.

STATE OFFICERS.

The Secretary of State is elected by the people for a term of two years, and receives an annual salary of \$5,000. He is keeper of the State archives, and superintends the publication and distribution of laws ; issues patents for lands, commissions, pardons and licenses, and notices for elections. Certificates of incorporation of companies formed under general laws, except banking and insurance companies, are filed in his office. He administers the oath of office to each member of the Assembly.

How is the Secretary of State elected ?

What is his term of office ?

What are his duties ?

The Comptroller is elected by the people for the term of two years, and receives an annual salary of \$6,000. He manages the funds of the State, superintends the collection of its taxes, and the payment of current expenses of the State.

How is the Comptroller elected ?

For what term ?

What are his duties ?

The Treasurer is elected by the people for a term of two years, receives a salary of \$5,000 a year. He is custodian of all moneys paid into the State treasury.

How is the Treasurer elected ?

For what term ?

The Attorney-General is elected by the people for a term of two years, and his salary is \$5,000 a year. He prosecutes and defends all actions and proceedings in which the State is interested.

How is the Attorney-Gen'l elected ?

For what term ?

What are his duties ?

The State Engineer and Surveyor is elected by the people for the term of two years; receives an annual salary of \$5,000. His general duties relate to the public lands and canals.

How is the State Engineer and Surveyor elected ?

For what term ?

What are his duties ?

ADMINISTRATIVE DEPARTMENTS.

The Governor (by and with the advice and consent of the Senate) appoints the administrative heads of the departments ; among which are the Superintendent of Insurance, Superintendent of Banking, three Railroad Commissioners, a Commissioner of Excise, Superintendent of Public Works, a Commissioner of Agriculture, five Commissioners of Fisheries, Game and Forest, three State Commissioners of Health, three Civil Service Commissioners, a Superintendent of State Prisons, three State Tax Commissioners, a Commissioner of Statistics of Labor, a Factory Inspector, and an Assistant Factory Inspector, a State Board of Mediation and Arbitration, a Health Officer of the Port of New York, three Commissioners of Quarantine. A Superintendent of

How are heads of departments appointed ?

Public Instruction is elected by joint ballot of the Senate and Assembly.

JUDICIARY.

COURT OF APPEALS.

Which is the highest Court in the State?
Of how many judges does it consist?

Who elects them?
For how long?

Who has power to appoint Associate Judges?

What jurisdiction has the Court of Appeals?

The highest court in the State is the Court of Appeals ; it consists of a Chief-Judge and six Associate Judges, who are elected by the people for fourteen years. Five members of the court form a quorum, and the concurrence of four is necessary to a decision. This court sits at Albany.

Under authority of an amendment to Art. VI. of the State Constitution the Governor appointed three justices of the Supreme Court to act as Associate Judges of this Court.

The court's jurisdiction generally is in review of questions of law. The exception is in case of judgment of death. Upon stipulation as to affirmance by this court, certain other judgments or orders are appealable. The Appellate Division of the Supreme Court also has the right to allow an appeal upon questions of law to be taken for the purpose of review.

SUPREME COURT.

How many Supreme Court justices are there?

For what term?
Who elects them?

How many judicial districts are there?

The highest court of original jurisdiction in the State is the Supreme Court, composed of seventy-six Justices, who are elected by the people for a term of fourteen years.

The Supreme Court has general jurisdiction in law and equity, which includes all actions, civil and criminal.

The State is divided into eight judicial districts. There are twenty-two justices in the first district ; twelve in the second ; six each in the third and fourth ; seven in the fifth ; six in the sixth ; seven in the seventh, and ten in the eighth.

In the first judicial district there is an Appellate Term, where appeals from the City Court and Municipal Court of the City of New York are heard ; also twelve Trial Terms, one for criminal and eleven for civil actions ; and eight Special Terms : two for the hearing of motions and transaction of *ex-parle* business, and six for trial of equity causes.

APPELLATE DIVISION OF THE SUPREME COURT.

How many judicial departments are there?

How many justices in each department?

The State is divided into four judicial departments. The Appellate Division of the Supreme Court, which hears appeals from the Supreme and other Courts, consists of seven justices in the first department, and of five justices in each of the other departments. In each department four shall constitute a quorum, and

the concurrence of three is necessary to a decision. No more than five justices may sit in any case.

In the first department the court is held at the Borough of Manhattan, City of New York ; in the second department, at the Borough of Brooklyn, said city ; in the third department, at the city of Albany ; in the fourth department, at the city of Rochester.

From all the justices elected to the Supreme Court, the Governor designates those who constitute the Appellate Division in each department, and also designates the presiding justice thereof, who acts as such during his term of office, and must be a resident of the department.

The other justices are designated for terms of five years, or the unexpired portions of their respective terms of office, if less than five years.

A majority of the justices designated to sit in the Appellate Division in each department must be residents of the department. No justice of the Appellate Division can exercise any of the powers of a justice of the Supreme Court, other than those of a justice out of court, and those pertaining to the Appellate Division, or to the hearing and decision of motions submitted by consent of counsel.

The Appellate Division hears appeals directly from the Supreme Court, Surrogate's Court, County Courts, Courts of General Sessions, and indirectly from courts of inferior jurisdiction.

Where does the Appellate Division in each department hold court ?

How are the justices appointed to the Appellate Division ?

What powers have justices of Appellate Division ?

What jurisdiction has the Appellate Division ?

How many
judicial depart-
ments are
there?

How many
justices in each
department?

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